

PROFILE MICHAEL FASSBENDER

Irish passion with a German work ethic

Success was anything but overnight for the Kerry actor, but his drive and versatility have turned him into one of Hollywood's most bankable stars

For the longest time, Michael Fassbender was just another jobbing actor on the London circuit. He worked in advertisements and radio, played Michael Collins on stage at the Edinburgh Fringe, and landed supporting characters in television dramas. To make ends meet, he supplemented his income with jobs in bars, cafes and warehouses.

By his late twenties, when the global recession had hit the film business and work had become scarce, Fassbender was beginning to doubt his abilities as an actor. He wondered if he might be better suited to the catering industry, having spent his teenage years working in the family restaurant in Killarney. "Acting success didn't happen overnight for Michael," said Donal Courtney, his friend and former mentor. "He struggled along the way like any young actor."

When Steve McQueen, a Turner prize-winning artist, cast him as IRA hunger-striker Bobby Sands in the 2008 film *Hunger*, Fassbender's career was transformed. Phil de Semlyen, a writer for the film magazine *Empire*, said: "Fassbender and McQueen created this amazing performance, which got the attention of the film-making and critical community. They found kindred spirits in each other and went on to make *Shame* [2011] and *12 Years a Slave* [2013]".

After *Hunger*, Fassbender quickly became one of Hollywood's most bankable stars. Last year the box office takings for his films – which included *Frank* and *X-Men: Days of Future Past* – amounted to \$746m (£657m), according to *Forbes* magazine.

So far this year, he has appeared in the Sundance hit *Slow West*, which he co-produced, and an adaptation of *Macbeth*. This autumn we will see him as Steve Jobs in a biopic from *Trainspotting* director Danny Boyle. The film's trailer is encouraging, according to critics, even though Fassbender doesn't look like the Apple co-founder. "[The scriptwriter] Aaron Sorkin has written a very dense, almost Shakespearean, corporate melodrama with a family element thrown in," said de Semlyen. "Fassbender has the charisma and magnetism needed to play Jobs."

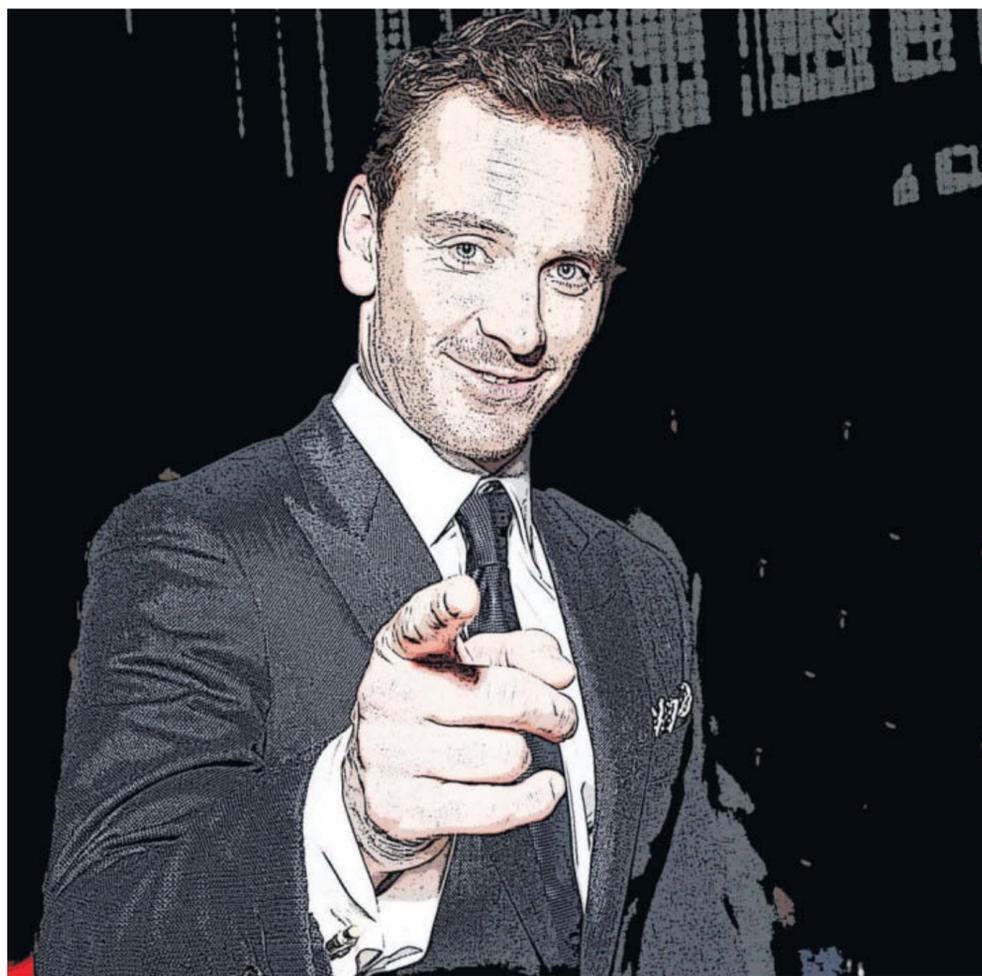
Sorkin may have needed convincing, however. If last year's Sony email leaks are to be believed, the scriptwriter questioned Fassbender's suitability for the role. Like Jobs, however, Fassbender knows how to command an audience and has a relentless work ethic. At 16 Fassbender moved into the apartment above his family restaurant, the West End House, where his parents gave him autonomy in return for doing weekend shifts.

"Even starting out, he was driven and hardworking," said Courtney, who was Fassbender's first acting coach and now works at Dublin's Gaiety School of Acting. "He's the hardest-working actor I've ever come across and I've been teaching acting for the past 20 years. I assume his parents have a huge part in it – they are hard-working people. That work ethic was instilled in Michael from an early age."

Throughout his career, Fassbender has excelled at playing repressed characters, including an amoral boyfriend in *Andrea Arnold's Fish Tank* (2009), or psychiatrist Carl Jung exploring treatment of sexual dysfunction in *David Cronenberg's A Dangerous Method* (2011).

By contrast his nude scenes in *Shame*, in which he played a sex addict, let audiences see an entirely different side to the actor. At the Golden Globes three years ago, George Clooney joked that Fassbender had taken over the "frontal nude responsibility" he had once held. The Killarney man shrugged off the jokes. "A proportion of us in the human race have penises and another proportion have seen them, whether they be mothers, girlfriends or partners, so I don't know why it's so unusual to show that in a movie," he said.

While Fassbender has played tortured souls – whether in indie dramas such as *Shame* or blockbusters including the *X-Men* franchise, in which he depicts the sociopath Magneto – he leaves the misery at the studio door. The actor is renowned for his crocodile grin and love of a good party. In *Lenny Abrahamson's Frank*, he played the enigmatic leader of an experimental art



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“HE'S HANDSOME, A GIFTED ACTOR WITH A GOOD RANGE, AND CHARISMATIC. GUYS WHO EXUDE THAT MOVIE-STAR QUALITY DON'T GROW ON TREES

band. In reality, he prefers AC/DC, Metallica and Slayer. "He's a great mimic, with great comedic qualities; a real extrovert," Courtney said.

"He's so perky, it drives you crazy," Cronenberg once said. "One day I found him out in the sun in his costume and make-up, with this big smile. I said, 'Michael, why are you smiling like that?' He said, 'I don't know... life.' I said, 'It's so irritating that you're happy all the time.'"

Fassbender was born in April 1977 in Heidelberg, Germany, to father Josef, a chef from Germany, and mother Adele, who hailed from Larne in Northern Ireland. In 1979 the family moved to Kerry and settled in Fossa, a village near Killarney. Fassbender's German heritage helped inform his role in *Quentin Tarantino's* war drama *Inglourious Basterds*, but Ireland was instrumental in his upbringing.

"People always say, 'Do you consider yourself German or Irish?'" he once said. "I grew up in Ireland from two. That's where I formed my personality and that's where my friends are from. I have friends I hang out with who I've known since I was four. But then I think maybe my work discipline comes from my German side."

He and sister Catherine attended Fossa National School. "Michael was a lovely, charming young boy," said the school's deputy principal Linda O'Donoghue. "He was bright, had an interest in the arts and history, and loved singing... He'd a very roguish smile, always. Many's the time if he got into trouble, his roguish smile would get him out of it."

The young Fassbender played with Fossa GAA club and served as altar boy in the local Catholic church. "That was my first experience, in a way, of being on stage, before an audience," he has said. He discovered formal acting through Courtney's workshops at St Brendan's College in Killarney. "Michael was mature for a 17-year-old doing his first acting classes," Courtney said. "He was focused and wanted to research and find out about drama schools. He had a clear map in his mind. He was driven and talented."

At 18, with friends, he organised a stage adaptation of *Reservoir Dogs* at Revelles nightclub in Killarney. After

taking an acting course at Colaiste Stiofain Naofa in Cork, he moved to London to find his fortune. At 24 he was cast in Steven Spielberg's *Band of Brothers*. This was the big time, he thought, but when he went back to London he returned to working behind a bar.

Hunger illustrated Fassbender's fastidious approach to his craft. He lost 14kg to play Sands, and a 17-minute scene in which a priest, played by the Irish actor Liam Cunningham, attempts to talk Sands out of his protest was shot in a single take. He met American sex addicts for *Shame*, and stepped himself in *Marvel* comic books for the *X-Men* films.

Fassbender's star ascended with *Jane Eyre* (2011) and *Prometheus* (2012), although there were mis-steps along the way. Two years ago *The Counselor*, a drug-trafficking thriller, was a critical and commercial flop, while *Jonah Hex* (2010) grossed only \$10m on a \$47m budget. But as the *Bafta* and *Golden Globe* nominations rolled in, alongside a best supporting actor Oscar nomination for his role in *12 Years a Slave*, Fassbender became a leading man and pin-up.

The actor's work ethic has not slowed; he is producing a film adaptation of the video game *Assassin's Creed* and a film about Irish folk-hero Cúchulainn. He has also talked about his desire to direct. "He's got everything," said de Semlyen. "He's handsome, a gifted actor with a good range, and charismatic. Guys who exude that movie-star quality don't grow on trees. He's smart, works hard and picks good roles."

"He's not someone who had a lucky break; he has a huge repertoire of skills so he'll always work," added Courtney. "A lot of my students don't know about my connection to him, but mention him as the person they admire the most. People recognise he has developed a craft as an actor – he's not just a film star."

Successful actors even use Fassbender's career as a template for their own. Daniel Radcliffe applies what he calls the "Fassbender test" to every project he is offered: "If you're ever being asked to do something, you ask the question, 'Would Michael Fassbender do it?'"

It's just as well, then, the Kerryman never did opt for a career in catering.

Let judges, not juries, decide libel damages

Freedom of expression has been impaired by excessive awards, argues David Ward

There exists a long-established principle in constitutional democracy, including Ireland, that when someone's life, honour or liberty is jeopardised they should have the right to be judged by their peers. This point was made in the British parliament in opposition to the first reading of the bill that culminated in the Defamation Act 2013. This act in effect reversed the presumption in favour of jury trials in such cases in the UK, making judge-alone trials the prevailing norm.

To suggest outright abolition of juries in defamation claims in Ireland may be a step too far, especially when you consider the modern definition of what is defamatory under Irish law. The Defamation Act 2009 defines a defamatory statement as one that tends to injure a person's reputation in the eyes of reasonable members of society. This is straightforward, unlike other more complex legal principles. Jurors are supposed to embody reasonable members of society entrusted with the role of trier of fact. This consideration would tend to support a contention that they have a continued role to play in defamation claims.

In these actions it is for the jury to determine as a matter of fact whether the impugned statement has defamed the plaintiff. Appellate courts are hesitant to interfere with decisions of juries, as their decision as arbiters of fact and meaning has been reached following their consideration of oral evidence, legal submissions, the demeanour of witnesses and review of all documents presented to the court.

The underlying rationale is that what is defamatory can be a matter of opinion, and opinions can vary reasonably within wide parameters. As such a court will intervene only if it concludes that the decision reached was one that reasonable members could not or ought not to have come to. Similarly the judge may decide that the statement is not capable of defamatory meaning and remove the decision from the ambit of the jury. These situations seldom arise but mean that the power of the jury is limited by the trial judge, if necessary.

This is not to suggest that the role of the jury in defamation claims does not require reform, but simply that outright abolition may be premature. One responsibility afforded to the jury has attracted well-founded criticism. There is substantive basis for a contention that the legislature has fallen short of its anticipated reforms in the context of damages, and in particular to the continued role of the jury in the assessment of damages.

The law of defamation entails a balancing of two fundamental rights: the right to a good name and freedom of expression. Freedom of expression is universally accepted as a crucial feature of constitutional democracies. Prior to the Defamation Act 2009, the old defamation regime had long been the subject of criticism from defendants – principally media organisations – for the disproportionately high level of damages awarded to successful plaintiffs.

The High Court jury decisions that were determined under the old regime underline this point. In *Leech v Independent Newspapers*, a series of defamatory articles led a jury to award *Leech* €1.87m in the High Court. *Donal Kinsella* was awarded €10m in damages as a result of an action he took against his former employers after they issued a press release containing defamatory allegations.

There is a legitimate argument that these awards are excessive and have had a chilling effect on the media, restricting freedom of expression. These points were raised during the appeal by *Independent Newspapers* that led to the damages being reduced to €1.25m in the Supreme Court. *Kinsella's* award is the subject of a forthcoming case in the Court of Appeal.

Under the new act, the legislature did not exclude juries from assessing damages, but a provision was inserted requiring judges to give directions to the jury in relation to their assessment of damages.

In spite of this, the failure to completely remove juries from the process of determining damages will result in similar lengthy and costly appeals against damages to the Court of Appeal. This is an outcome at odds with the aims and ethos of the legislation: procedural expediency and cost-efficiency for potential litigants. The issue could be rectified by allowing the trial judge to assess the issue of damages.

It is a valuable feature of the current system that the ultimate decision as to whether the words are defamatory is decided by a group of lay people in accordance with the prevailing norms and values of the society and era in which it was made. Urgent and innovative reform is needed in respect of how damages are assessed in defamation claims to protect freedom of expression and the role of the media in Irish society.

David Ward, a law student at University College Dublin, is the inaugural winner of the Mark Sinclair internship award

Corbyn is a perfect excuse to scrutinise Labour's take on unionism



NEWTON EMERSON

The first thing Jeremy Corbyn's opponents reached for when he became a serious contender for leadership of the British Labour party was his long-standing association with Sinn Féin. As a smear tactic it failed completely, so fingers pointed to his Islamist links. Thanks to the peace process, everyone has an association with Sinn Féin, even Donald Trump, while a long-standing association is ironically one of the few things Corbyn and the Blairists have in common.

True, the MP for London's Islington North seemed openly equivocal about the IRA during the 1980s, several years before the secret Downing Street equivocations of which we are now aware. He has since detoxified his past with a pro-agreement position, just like everyone else.

The real reason to examine Corbyn's record on Northern Ireland is not to catch him out but to understand why Labour is so hostile to unionism, why that hostility has not lessened, and

how it is antithetical to the Good Friday agreement. What emerges is a far deeper problem than Corbyn and one that will still need to be dealt with long after the parliamentary Labour party has dealt with him.

Residents of Northern Ireland were unable to join Labour from 1924 until 2003, when legal action finally forced the issue. During this period the province was the only place in the world, let alone the UK, where Labour would not accept a membership application. Various reasons had been given for this over the years but a reaction to the Tory-Unionist link lay at the heart of it.

From the 1960s until the dawn of the peace process, the spiritual guardian of Labour's Northern Ireland policy was Hull MP Kevin McNamara, an old-school Irish nationalist. He promoted the idea of the SDLP as a socialist sister party, to which membership applications should be referred. This remains Labour's official excuse for not standing in Ulster elections.

McNamara became the guardian of Labour's policy in 1987 when Neil Kinnock appointed him to the shadow cabinet, partly in gratitude for standing up to the republican Troops Out movement, of which Corbyn was a prominent backer. McNamara declared his ambition was to be "the last secretary of state for Northern Ireland" but he never made it to Hillsborough Castle. Tony Blair demoted him in 1994 in response to the IRA ceasefire, then McNamara quit the front bench the following year in protest at Blair's bipartisan approach to the Conservatives' handling of the peace process.

Corbyn's support for a united Ireland could not be more different from the simple nationalist chauvinism that prevailed in the McNamara years. For Corbyn, the issue is one of anti-imperialism, with Northern Ireland as the last remnant of England's first colony. Anti-imperialism is the bedrock of Corbyn's world view. He is not "friends" with groups such as Hamas

because he is an Islamist or anti-semitic but because he sees all geopolitical disputes in terms of western imperialism versus its victims. It may be agitprop esoterica to most of the population, but anti-imperialism is a mainstream instinct inside the Labour party. Its influence has grown through left-wing thinking on race, immigration, globalisation and war.

Anti-imperialism has allowed Labour to maintain and modernise its disdain for the last colony without most outsiders noticing. To regard Northern Ireland as a colony might seem no worse than patronising in the post-agreement era. Unlike McNamara, Corbyn is not advocating unilateral British withdrawal.

Anti-imperialism risks resurrecting notions that the first phase of the peace process expended some energy on debunking. If the province is a colony, who are the colonists and how will it be decolonised? Sinn Féin had predictable answers to those questions while Corbyn was its closest friend at Westminster. The first draft of the party's 1987 paper

Scenario for Peace defined the Troubles as "the British colonial conflict in Ireland", cited the UN principles on decolonisation and called for "a process of decolonisation" via resettlement grants to "encourage" unionists to leave.

Nationalist Ireland took one look at this and decided it was dangerous nonsense, a pseudo-intellectual prelude to an ethnic cleansing fantasy. In the dialogue that began the following year between Gerry Adams and John Hume, the anti-imperialist rhetoric was removed and the problem was recast in a more accurate – and solvable – form of a bog-standard European sovereignty dispute.

It would be exciting to describe the MP as a threat to the political settlement, but he certainly represents a forgetting of its foundations. Corbyn does not have to reject the Good Friday agreement for his obvious anti-imperialist philosophy to define perceptions of Northern Ireland across the party. How can his opponents complain, having used his philosophy on Northern Ireland to try to define him?