The Outlaw and The Popular /Folk Hero: A Review Article

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ABSTRACT: This is a generous and powerful treatment of the authority-defiant figure across many cultures and centuries. While Graham Seal’s major work to date has been largely concerned with medieval England and colonial Australia, this is a fine and world-ranging survey, and a study presented with a compassionate identification and with a pleasing wit. It is, quite simply, Australia’s finest national and comparative volume in the global scholarship of the folkloric discipline.

What more is there to say about outlaw heroes? A great deal, it turns out. While many might have considered the tradition of the outlawed hero to have died out, it has not only endured, but has evolved into viable new forms; the cultural processes that produce and contain the outlaw hero as a viable model of resistance are not only ancient, extensive and deep, but are also socially perilous.

I hope this book will make a small contribution towards a better understanding of this ongoing imperative of history and mythology.


The Author—First as Australia-focussed Folklorist

Graham Seal (b. 1950), originally trained as an historian, and now a professor of both our folklore and cultural studies and of the Asian and of the Pacific region at Curtin University in Western Australia, has long been a national and international figure in the world sphere of the scholarship of largely contemporary folklore. However, to date, and despite his English antecedents, this work has largely been concerned with this continent in both theme and focus.

This most productive career of a then youthful post-World War II British migrant to New South Wales has already involved the stages of his formal university studies in Sydney and his return to higher

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1 This large work is published by Anthem Press: London, New York, Delhi. Pp. viii, 232. ISBN-13: 978 0 85728 792 2 (Hbk); ISBN-10: 0 85728 792 3 (HBk). This title is also available as an eBook.
study in England, even as it has included much collecting and research at Deakin University, as well as work for the National Library of Australia, especially in the field of all lore associated with ‘ANZAC’.²

Yet it has also included much field work, as with folk performance and poetry, in various parts of Australia, in China, and elsewhere overseas. He has also made particularly significant contributions to—and maintained his associations with—the former National Centre for English Cultural Tradition and Language, long functioning at the University of Sheffield in the north of England.

There have also come from him a considerable range of serious Australian publications from the time of his The Hidden Culture (1988)³ and of his milestone editorship, with Dr. Gwenda Davies of Melbourne, of The Oxford Companion to Australian Folklore (1993).⁴ Yet these last were nationally conceived, being especially reference contributions and so organised, whereas he has long been a producer of grassroots and closely focussed and freshly collected items, such as his founding and early editorship of the long time national journal, Australian Folklore, and his fieldwork with the imaginative and field collection of largely Australian lore, as in the founding of the Western Australian Folklore Archive in 1985. He has also had much to do with furthering the general cause with the media, as is evident from his familiarity with/citation in illustration of relevant films, radio programmes and styles of relevant television. His work with the newsletter, the widely circulating Transmissions and with and for the Australian National Library are a further field of important endeavour and of like achievement.

The Outlaw Hero, in the Realm of History/Myth

Another cultural addition to his folkloric repertoire is the way in which he now ‘nails’ the post 1960 ways of a challenging public figure presenting himself/ being presented—as in this expansive reflection on the later twentieth century/ways of earlier times conceptualising of such defiant figures that were similar:

To a considerable extent, Pelloni, Rob Roy, [Jesse] James, Turpin, and Billy the Kid, among others, have managed posthumously to control their afterlives through a manipulation of the moral code of tradition during their lifetimes. Their collusion and perpetuation of

³ Also reprinted in a somewhat reduced font by Curtin University, and this with some slight modification of the text.
⁴ These were both publications of the Oxford University Press, in Melbourne, although the first has had a subsequent edition through Curtin University in Western Australia.
their own legends has a significant impact on the subsequent reception of their images. (p. 130)

While other major Australian folklorists had laboured long before Graham Seal in their field (or Bill Wannan, 1914-1995)—so very well on aspects of the rebel/outlaw theme—they were coming to their field and to its appropriate tasks from different angles and foci:

- the performance tradition, as in the case of John Meredith, Alan Scott, or Shirley Andrews—the last for the tradition of the folk’s dancing;
- the post World War II collecting and analysis of Australia’s folk songs, e.g. by the New Zealander, Douglas Stewart, and the Victoria-based and long time friends, Russel Ward and Hugh M. Anderson;
- the codifying/proper institutionalising and protection of the folklore tradition, in many lands—as with the UNESCO policies devised by Dr Keith McKenry, a generation ago now;
- recording/preserving the folk crafts, as with Ron Edwards and his fine manuals, as on whip-platting; or
- the collecting/ museum skills and professional work as developed through the influence of the (European) folk museum movement.

However, there was also an obvious field that no one else in Australia had really taken up, that of discerning and studying grander themes/the (associated) comparative folkloric systems and codifications….. i.e. the close and thematic comparing of Australian tales and personalities with others worldwide that were/ are of like style, either much earlier in time, or in analogous ‘colonial’ and defiant or defiant/challenging and confrontational situations. In this he is so much closer to the work of the Estonian, A. Aarne and of the American, Stith Thompson. (See below.)

In The Oxford Companion to Australian Folklore (1993), Graham Seal would co-sign, with the present writer, the relatively long article on ‘Folk Tales’ (pp. 177b-182b), that survey piece there being notable—for Australia to date—for the use of the methodology of the Motif-Index of Folk Literature (1955), in six volumes, of the ‘European

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5 We may profitably compare here the history and development of folklore in the widest sense in Britain from late in World War Two, as treated by Michael Brocken in his The British Folk Revival, 1944-2002. [Aldershot, Hants.: Ashgate, the popular and folk music series, 2003.]

6 Notable here is the Scandinavia and York-inspired work of the late Eric Dunlop, the founder in 1958 of the Armidale Folk Museum, probably the most significant and earliest one of its kind in Australasia.
system devised by Antti Aarne—and duly much revised and extended/ revised by the American, Stith Thompson in 1955. In the present case (2011), Graham Seal has not referred to this powerful and comparative schema for cultural motifs, but has put his present—and very diffuse—analysis of one grand scale colonial/imperial motif into a classification by Four Major Blocks, viz.:

Part One: Myths and Histories;
Part Two: Politics and Identities;
Part Three: Legends and Commodities; and, a last grouping and so overview
Part Four: The Global Outlaw.

Further, the powerful classifications of the grand (European/Northern Hemisphere) scheme are not now ordered into the standard system that is, essentially, similar to the Dewey Decimal one for the ordering of books and other printed matter in the vast majority of the world’s print/electronic libraries.

While the present reader is not yet completely at ease with the now adopted structure for the classification, or with a certain infectious excitement in the prose style, it is abundantly clear that the whole is a rich, reflective and highly researched compilation, one which will certainly stand as a bold reference work for the comparative/informative global scholarship of public—and usually heroic—defiance for several generations of world folklorists to come.

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In 1996, Seal had produced The Outlaw Legend: ‘A Cultural Tradition in Britain,’ America and Australia’, a work, as he has said, ‘based largely on primary sources from the relevant Anglophone traditions’, whereas the bold emphasis now is on ‘newly researched material from many other parts of the world’.

The range of countries and cultures considered ranges very widely, Seal mentioning amongst others—China, Mexico, Japan, Indonesia, the particularly focussed Maori resistance to the British occupation of

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7 Several of his more comparative treatments are to be found most clearly in footnotes, as on p. 189, fn 16, where he does give helpful reference to Green’s Folklore: An Encyclopedia of beliefs, Customs, Tales, Music and Art (1997), in 2 vols. However, this work is not in the ‘Select Bibliography’, p. 209.
8 It is certainly the case that Robin Hood is deemed to be the staple here, as with so much of twentieth century British scholarship on outlawry. Stephen Knight, John Holt, Douglas Gray, and many other British comparativists have done much the same.
9 The Dewey classification given is 364.3, which presumably acknowledges its comparative literature thrust, rather than it seeming squarely in the field of folklore.
New Zealand, and like themes in Brazil, India, Turkey, Modern Greece, as well as many other acts of defiance and of protest. Necessarily, much of this earlier biography/legendary is noted here, in order to provide continuity, but the conceptual emphasis—and the base for the innumerable comparisons—is, rather, on the subtly distinct patterns of resistance, objection, challenge, defiance and, so often, a long remembered martyrdom. And so, after a somewhat comparative ‘Introduction’ chapter, there is a suggested segmentation—that into the four large blocks—which is the one then followed through.

Essentially there are thirteen chapters of progressive and reflective analysis, the general thought pattern moving from Myths and Histories, to Politics and Identities, Legends and Commodities, and so to the Global Outlaw, two of whom and of very recent actions—as mentioned in the ‘Preface’—are Osama bin Laden and Australia’s most recent contribution to global defiance, Julian Assange (p. vii).

And as this is written at the time of the civil disturbances in England in early August, 2011, it will be interesting to see how long it is before the English authorities admit that there may well be serious and embedded matters of social justice, public neglect and widespread hopelessness behind the recent civil disturbances and the defiant destruction of property/the public show of the mercantile success of the older generations in various (disturbed) parts of England.

For this present reviewer and ever a close reader/teacher of Seal’s work and commender of its distinctively honest style, it is most helpful to try to face the notes to the pages of the main text—since the present writing/critical working for this review task is done with a (printed) copy of the ebook. And so it is now proposed to treat of/imagine the chapters’ notes as though they are to be viewed along with the segmented text of the main portion of the whole work.

There now follows a reflective response to the work so grouped and aligned.

Preface . . . 1: The Outlawed hero.....and legendary banditry

This opens challengingly with three examples of resounding defiance in the last thirty years, from a girl guerilla in Uttar Pradaesh; a rogue electrician in St Denis, near Paris, restoring the power to those who have not paid for it; the lawless and violence along the borders of Pakistan and Afghanistan... all cases of struggle/‘lawlessness’ against a power greater than themselves, and so their course of retaliatory destruction follows; and, perforce, their heroes’ passing leads to (further) legends, and so to the narrator’s conclusion—
They die violently and always their legends celebrate them to live on heroically, swashbuckling though history, folklore, popular culture, and high art’ (p. 2).

He might well have added that all three examples are (traditionally) resonant of their several cultures’ history of resistance, one persisting from much earlier periods.
The parallelism between these examples is noted, given explication, reflected on, socially and morally, this leading to the antithetic sub-heading, ‘Good Villains and Bad Heroes’, and it is then so shrewdly linked to Eric Hobsbawm’s significant theoretical work, as in his *Social Bandits* (1969). Thus Seal is so generating the reflective view that so much of Hobsbaum’s work ‘is essentially one of historical sociology’ (p. 4).

Then Seal looks closely at the lore and legendary of bandits, seeing this as ever an historical/ a social threat to (entrenched) power, and so, variously, he proceeds—and this most helpfully—to penal systems devised to somehow contain such threatening individuals. Then a pattern of regionally memorable examples follows, from the Roman Empire to the Middle Ages, and so to the issue there of outlawry; a glance to the American frontier/ settlement period’s legal code, and so to a closer look at the outlaw legislation of the 15th century in Iceland, and on, with the thought link— ‘It was invoked in Australia against the bushrangers Ben Hall, Dunn and Gilbert in New South Wales during the 1860s, and against Ned Kelly and one of his gang in the colony of Victoria in 1879’ (p. 5). Perhaps overwhelmingly for the quiet reader, the paragraph then glances to the American Civil War, Spanish and Portuguese colonies of the New World, to colonial Cyprus and Greece, and to various happenings of social/ political/ governmental collision in those places/situations.11

Clearly this is the prose and pedagogic style of an impassioned comparative handbook12 rather than a leisurely exposition. And the style of headings is one of two sorts the major and the minor, the whole bound together by the moral stance of the Australian chronicler, someone who unifies the whole by reason of his passion, his challenging of the reader’s assumptions/ hitherto unquestioning of the ‘lawlessness’ of the defiant figure(s). We may now quote an example of this comparative and, clearly, hero-compassionate and sympathetic style—

In the English language—yet also famous around the world—the archetypal outlaw hero is the mythical Robin Hood. Wherever similar figures are found, the poor and the weak see them as champions against those they consider to be oppressing them. In twelfth century China the outlaw hero is named Song Jiang. In late nineteenth century Australia Ned Kelly. In twentieth Century. India, 10

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10 This was the original title of the work.
11 Following on from this manner of presentation, the ‘Select Bibliography’ (pp. 207-213), is not sectionalised.
12 It reminded this reviewer of the mediaeval-Germanic classic critical volume, J. de Vries’ *Heroic Song and Heroic Legend* (1963), and so it was pleasing to find this work cited variously by Seal. Another useful comparison would be H.M. Chadwick and N.K. Chadwick’s comparative trilogy, *The Rise of Literature* (C.U.P.)
Phoolan Devi. Robin Hood goes by many names. Always they are the name of a hero—at least to many. (p. 2)

The prose style—like the progression of ideas—soon becomes much like that of the spoken record of an exciting tutorial of a comparative sort, since we are made to revert easily to Wat Tyler’s rebellion of 1381, to the ‘history’ of Jack Cade’s rebellion of 1450, and so, very soon, to a research dialogue/seeming monologue with the caption, ‘In Spite of History’ (p. 6). Exciting as much of this is, it does sound rather like an impassioned lecturer talking to a mixed discipline group of students,13 from, say law, history, 19th century studies, and elsewhere… or, perhaps, to an intrigued adult class who know their lecturer and stay with him through the presentation. For the writer is quite clearly a born teacher, sharing his insights, underscoring the general points to be remembered, and not afraid to ask a deal of thought-enforcing rhetorical questions.

This method of informing and enthusing—with a mix of the challenging/provocative—is a peculiarly helpful one, since the book’s early material gives the reader a thought framework that is built on in so much of the rest of the study. The core critical/folkloric issue is, however, not the ‘lecture’ style, or the degree of justice/injustice seemingly involved, for this subjective/impressionistic style of reference and analogy is where the whole comes together, since the reader is both imbued with the writer’s challenges and, perforce, empowered, to apply the moral/political reasoning elsewhere.

The assertion of the theme and its great moral urgency emerges almost immediately in the book, as with these early lines following the heading—

In Spite of History,

What if anything is important about outlaw heroes? Aren’t they just criminals. Unusually flamboyant, perhaps; in some cases the unfortunate victims of circumstance. But still just thugs, robbers, and murderers who get what they deserve. (p. 6)

Perhaps unexpectedly, this is followed with much more of the comparative lecture, stories breathily said to be ‘sanitised for the greater purpose or need of those who believe that they are being badly

13 There are certain (breathless) colloquialisms that occur in the text, e.g. p. 123, ‘his own spin’; ‘Pelloni understood how to play the game’ (p. 127); ‘the Scots figure known to mythology as ‘Rob Roy’ was another outlaw skilled at purveying himself as wronged and oppressed’ (p. 127), etc. Yet they do not clash, of so much as suggest the impassioned teacher, the best characteristic for all historians on folk story.
treated’ and who see the actions of their outlaws in some way as ‘redressing, even avenging those dissatisfactions.’ (p. 6)

And for the folklorist, as reader/ hearer, Seal always provides reflective passages, as with his comparison (p. 6), between the Kelly family in Australia, Pancho Villa’s attack\(^\text{14}\) in Mexico on the local landowner whom he believes to have raped his sister, or a legendary Brazilian problem of family honour, typically producing a/the paragraph of provoked comparisons and, one which concludes:

> Whenever and wherever the hero rises up against those seen as oppressors there are histories of antagonism, suspicion, and outrage to fuel the fires of defiance. (pp. 6-7)

In a like fashion, it is noted that the outlaw will lose his heroic status when ‘he fails to live up to the moral code embedded in the tradition’ (p. 7), or if he fails to die bravely. However, a positive story element is very often the need for an actual/a purported escape—the body in the grave is not that of the fabled ‘heroic figure’.\(^\text{15}\) And so Seal notes with approval the help given by a suitable and much loved novel to fix a story/ legend, e.g.

Walter Scott’s *Rob Roy* for the same figure, pp. 37, 128; Charles Kingsley for the Anglo-Saxon leader of resistance, in his novel, *Hereward the Wake*, p. 3;

New Zealand’s Hone Hiki (p. 68f), an historical figure of the Maori resistance to the British in the 1860s resistance in the centre of the North Island; etc.

**Part I: Myths and Histories (pp. 15-62)**

The core concepts treated here—with a wealth of unexpected and comparative examples—may be thus summarised: robbery, outlawry; champions of oppression; legends that allow the heroes to live on in popular culture; defiance of authority; outlaws swashbuckling on through (the strangely vital and defiant folk) history; ‘a criminal’ robs the rich and shares with the poor, and, thus, he is a ‘good villain’; all struggles against oppression are (popularly) legitimate; avengers fight

\(^{14}\) The Australian Hero of Gallipoli, the half-Japanese Harry Freame, was in Villa’s band at this time in 1912-1913. See the various articles by me on Freame’s career in the *Armidale and District Historical Society’s Journal and Proceedings*.

\(^{15}\) Interestingly, there is no mention of the Australian bushranger (‘Captain’) Thunderbolt of Uralla (NSW) fame, nor of the numerous versions of his escape, nor of the same ‘resurrection’ motif—an escape to the freedom of North America—that being also variously told of the bushranger, Frank Gardiner. Morally, the miraculous escape did not occur in the case of the glamorous and fictional Captain Starlight, in *Robbery Under Arms*, by Rolf Boldrewood.
for justice; defiance is ‘a broad socio-political phenomenon’ (p. 4); the outlaw is expelled because he is a threat to the sanctioned or central power; the rulers deem breaking of their laws as ‘treason’; outlaws are to be found/ told of at points where society is under pressure; such a folk hero/ outlaw has always been identified by one or more social groups as somehow more than simple criminal (p. 6); family honour and male pride are often the flashpoints causing acts of rebellion/ defiance; outlaws are usually betrayed for reward by the slighted, or by the weaker of their associates (p. 7); etc.

The outlaw must die bravely, and it is believed by many that he ‘got away’; most outlaws were persecuted to the point of defiance of ‘law’ and were, accordingly, afforded both public sympathy and a haven of some (temporary) sort; continual courtesy in life will, assuredly, assist an outlaw to a place in legend; many outlaws remain ambiguous, being deemed repulsive for some reason, or, alternately, figures of sympathy; outlaws can easily move from history to mythology (p. 12); and they are often the key to the nagging tensions, economic conditions, injustices and flaws in a (vaunted) culture and period (p. 12).

All these concepts are to be found discussed/ reflected on in this first chapter, one which is pleasingly free from the hero lore of earlier and over chronicled societies, or in the Olympian style of the classic style British lectures by Lord Raglan of the Folklore Society. Thus, while Edward Tylor, James Frazer, Otto Rank, Joseph Campbell, and others are cited early on in a footnote to Chapter One,16 they do not obtrude in this text. Nor is that same section cluttered with the reflective scholarship of the helpful P. O’Malley, K. Barkey or V. Rafael—all of whom are succinctly dealt with in the long footnote 11, to Chapter 1. And so, perhaps my notion of thinking my way through by a process of ‘interleaving’ suggests the possible and ideal compromise—as in many American university press works of this sort—of having the battery of illuminating notes and of (not too disparate) comparisons being shown on the same text page, in footnotes there, full of reflective expatiation.

In any treatment of Seal’s whole grand theme—one working outwards with/ from a reader with a more traditional exposure to culture with England first, and then an awareness of empire and so to the general theme of resistance to ‘power’/ ‘oppression’ in many lands and periods—we can do no better than to now list the short titles of the major sections of this crafted schema.

Thus Part One: Myths and Histories is segmented—2. Before Robin Hood; 3. Heroic Types; 4. Mediaeval Marauders; 5. Myth and

16 See p. 184, fn.5.
History. Part Two is concerned with Politics and Identities, and somehow nearer and more angry, lawless, and more familiar, with 6. Contested Frontiers; 7. Troubled Borders; 8. Identities; 9. Kingdoms in Miniature. Inevitably the last and much shorter sections are more familiar in both setting and nomenclature, since they have all had their time of flourishing in The Boys’ Own Paper; the adult and more democratic journal, Wide World, the mid-20th century weekly, The Champion; and the Empire-directed weekly products of Messrs Gordon and Gotch, as well as their American equivalents. Part Three is styled Legends and Commodities; with 10. Afterlives; 11. Consuming Outlaws; and 12. Lethal Legends. However, we may well founder on one of the section conclusions—

The communal imperatives of tradition and of survival complement the individual persona of the outlaw hero, forming a compelling intersection of perception and action (p. 135).

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The emotive and rousing vocabulary: of the court, and the 'gentleman', of (in-)justice, and of the 'champion'; of revenge; and so of honour . . .

As one reads through the book—and it is not merely tempting, but essential—to read on, ever more excitedly, back and forth across the whole, conveniently then reflecting anew on these wise words from p. 2—

Regardless of the economic, social and political structures and forces in operation, independent of time, space, culture and religion, the outlaw hero can be found swashbuckling through history, folklore, popular culture and high art.

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In the twenty-first century, so much of folklore, of folk writing, of diaries, of prosopographic history, and of creative writing is focussed on—and is so often clarifying for—(individual/ generally perceived) core identity. For yesterday’s and modern man’s great need is to be defiantly known for who and what he really is, and has indeed done.17

17 This is, of course, so close to C.G. Jung’s notion of ‘Modern Man in Search of a Soul’, or Arthur Miller’s fine Introduction to his classic play, Death of a Salesman. Compare also the phrase used as a moralistic title for a life of service with integrity by C.S. Lewis, in his mythic and timeless allegorical text, Till We have Faces.
The index of this book lists those main folk cultures as treated perceptively by Seal: African American 51; Australia 98-100; England 93-95; Ireland 96-97; Java 101-103; Scotland 92-93; Slovakia 89-91; South Africa 100-101; Switzerland 100; and Wales 95-96. In all these instances, and in glancing reference to a score of other nations/ cultures, Graham Seal is now revealed as a fine and imaginative comparativist, as he explores morality, character, pride, oppressive regimes, personal courage, and the many ways in which men and women would seek to set ‘straight’ the public record about them, whatever the cost.

His reflective and nicely comparativist mindset was revealed nearly twenty years ago in the fine ‘Introduction’ (pp. ix-xvii) subtitled ‘What is Folklore?’ and contributed by him—in association with Gwenda Beed Davey—to their joint editorial enterprise, *The Oxford Companion to Australian Folklore* (1993). At that time, there was a reflective reference to the need for ‘a number of other, cognate works on Australian folklore’ (p. vii). It will be clear from the thoughts of the present comparativist reviewer, that Seal has ever heeded his own challenges to those working in the field with like cultural appraisals.

But we can go further, and argue that he has already shown the need for studies on the dialogue of Australian folklorists with China, Indonesia, as well as the 1993 following efforts of Gwenda Davey, in particular, to record the Australian dialogue with the Smithsonian Museum in Washington. Similarly others do need to continue to explore the like dialogue and mutual inspiration—as between Australian Folklore and the Department of Folklore at the nationally significant Department of Folklore at Memorial University in St Johns, Newfoundland, Canada; or as between California and the Pacific, and with Australia in particular. Equally obvious is the distinguished contribution of Emeritus Professor John D.A. Widdowson to the nurture of so many developing Australian folklorists.

*In Conclusion*

While Graham Seal does not mention the fine comparativist and linguist, Alexander Krappe, or his *The Science of Folk-Lore* (1930)—nor, for that matter, J.E. Hastings’ monumental bible for folklore, his monumental *Encyclopedia of Religion and Ethics... in Thirteen*
Volumes (1918)—it is very clear that he has had like grand—and classic—research concepts for the discipline, as it might/ should be researched and presented in this country. These bold schema and comparisons are not just those identified as of the Australian experience, but they are now set against like proximate/ ex-colonial and/or other cultures and individuals so hideously stressed.

And he has performed splendidly in so conceiving and accomplishing of such an authoritative study of defiance, heroism, outlawry and personal integrity in situations where the brave chose to write their names on the pages of the so largely unknown history of the folk.

While Aarne-Stith Thompson was and is a supremely powerful tool for the identification of motifs, this study has managed to give us a very fine comparative study of the greatest tragedy\(^{19}\) in the history of human thought, the careless/ contemptible use of power against others, and, in retaliation, the heroism of those who chose to defy this same tyranny, whatever the cost.

It needs to be stressed that this volume is the first historical and theoretical work to offer a world-ranging treatment of a large theme and of a like significant cluster of base motives and actions to be found in every society. It is, in short, a capping stone for the scholarship of the Australian folk movement, even as it will stand on the shelf alongside the other world classics about the discipline of folklore produced in the opening years of the twenty first century.

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\(^{19}\) It is to be noted that G. Seal has incorporated into his exempla the mortal life of Jesus of Nazareth and related this in part to the issue of banditry in Galilee and to the problems of the powerful elites in that unstable Roman province.