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PERSONAL IDENTITY AND THE INFLUENCE OF OUTLAW FOLKLORE

by

William “Bacon” Nivison

**A thesis submitted in partial fulfillment
of the requirements for the degree**

of

MASTER OF SCIENCE

in

Folklore and American Studies

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2021

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ABSTRACT

Personal Identity and the Influence of Outlaw Folklore

by

William “Bacon” Nivison, Master of Science

Utah State University, 2021

Major Professor: Dr. Lisa Gabbert

Department: English

Folklore being a relatively new science there is still debate going on about what folklore actually is. Most of what one reads is relative to who the “folk” are, where the “lore” comes from and how it is inspired. This thesis looks at folklore from a viewpoint that observes folklore from the other direction. Not how do the folk create the lore, but rather how does the lore create the folk?

Folklore is well shown to be a product, or at least an abstract, of one’s personal identity, but is it not also a tool used by the individual in the creation of an identity that the individual wishes to relate to others, “outsiders”? I grew up in a family situation that had its roots in two almost diametrically opposed ideologies, having in common only the prospective “good” either if these identities could be seen to promote. A religious family married into an outlaw family. The family folklore painted a magnificently broad stroke on what could be considered good, or heroic, but the outlaw folklore ended up carrying the day.

Based on input from three generations of this tribe, I examine how their stories are formed, interpreted, and used to magnify the three differing individualities involved. There is a strong similarity between the folkloric evolution of outlaws into heroes, and the adoption of seeds from these heroic outlaw tales in the creation of personal identities.

(37 pages)

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The help and marvelous influence of a number of experts who provided support and inspiration fueled this thesis.

I would first like to thank Dr. Lynne S. McNeill, who I refer to as Dr. Lynne in spite of objections. She introduced me to the study of folklore and convinced me to minor in folklore during my undergraduate studies. She turned what began as a therapeutic adventure (brain damage recovery) into a core motivation and graduate school.

Dr. Lisa Gabbert provided wisdom and inspiration throughout my educational excursion, including chairing my Master's committee and cutting dangerously close to collaboration at some points. Lisa helped to moderate my outlawic point of view into a much more academic framework. Thanks!

Other notable inspirations in guiding me down this path include Dr. Christine Cooper-Rompato, who, beyond providing an introduction into medieval literary history, was my counselor throughout my undergrad time and a tremendous inspiration. Professor John McLaughlin became more than a professor; he became a friend. Shannon Ballam lent poetry to my belletristic inscriptions. Jared Colton, Director of Graduate Studies, directed me quite adroitly (and effectively).

Lastly, and most importantly, my father, Terry, my grandfather, Bill, both heroic outlaws of the true folkloric tradition, and all my outlaw biker brothers who helped produce such an uncommon and unlikely component to the academic community as am I.

THANKS!

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CHAPTER ONE: INTRODUCTION

My entry into the academic world began after a half century of life as an outlaw. I was into drugs and alcohol, Harley Davidsons, and battling in the biker arena of freedom and macho ideals. I had been a member of an army fighting for freedom/responsibility, a fight seen by the outlaw biker community as being destroyed by liberals. Before going back to school, I had no awareness of folkloric concepts of any sort. I thought folklore was nonsense believed by hillbillies, which it is, but oh so much more!

My world took a sweeping turn after I had a motorcycle accident in 2008 in which I was flung 250 feet. I landed on my head on an asphalt highway, leaving me with severe brain damage. The result of this brain-scrambling was an almost complete loss of my identity. This was life altering to say the least. I woke up in a hospital bed not knowing who I was nor how I got there. The outlaw I used to be was gone and the doors of therapeutic endeavor were opened which lead me onto the path of academia in the attempt to get the brain gears turning again, which led, accidentally and fortunately to the study of folklore. In time, memories of my past gradually returned while at the same time my initial spark of interest in folklore grew into a flame of sincere academic endeavor.

Due to my background I became interested in the concept of the heroic outlaw. Folklore studies has identified a traditional process whereby an outlaw character literally becomes heroic, i.e. Robin Hood. This phenomenon apparently was first studied by the great historian Eric Hobsbawm. According to Graham Seal:

The first sustained attempt to understand this phenomenon on a broad scale was produced by the eminent historian Eric Hobsbawm in a book originally titled *Social Bandits* (1969). Hobsbawm's interest in what he had earlier called 'primitive rebels' led him to develop an explanatory model for individuals like Pancho Villa, Lampião, Salvatore Giuliano and a host of lesser-known bandits

who nevertheless seemed to share similarities in the processes through which they were turned into great and usually enduring heroes by those social groups who supported their defiance of the authorities. (Seal 2011:3)

Graham Seal explains that these famous “social bandits” share many common characteristics. He also notes that the tradition is often articulated at moments of social, economic and political stress. The heroic outlaw tradition follows a common pattern to be discussed later, but includes, e.g. the heroic outlaw values honor and dignity and applies them to the pursuit of a battle against oppression of the common man. The outlaw hero is always an underdog who ends up losing everything in the end. They take on seemingly impossible qualities such as the ability to evade capture, to literally disappear, to pass through solid objects, or return to life from death. The heroic outlaw also is generous to those in need and ruthless to their enemies.

The idea of a heroic outlaw tradition appealed to me largely because of my family history. I grew up in a home where my parents were an unlikely linkage of opposite ends of what may be considered a “proper behavior” spectrum. My mother came from a “we crossed the plains with Brigham Young” religious Mormon background, with stories of conversions, miracles, and the maintenance of faith typically associated with that belief, while my father descended from a “we lit the plains on fire” perspective rooted in social rebels from which the Nivison family descended, such as Robert the Bruce, and the Jameses (Frank and Jesse). Growing up I heard family stories from both of these spectrums, but the ones that captured my imagination and drove the development of my personal identity were those of the outlaws. In this thesis I explore the influence of outlaw folklore on individual identity, focusing specifically upon my son Jeremy

Nivison, myself, and my father, Terry Nivison. Three consecutive generations each grounded its identity on the same series of family folk tales. This paper therefore is less concerned with how the folk formed the lore than it is about how the lore formed the folk.

Inspirations for this project include works that have identified the pattern of the heroic outlaw tradition. While I have only been aware of this heroic outlaw tradition since I began studying folklore, as a lifelong outlaw I found these studies both easy to understand and intriguing. These studies magnified my understanding of the heroic outlaw ideal and were a key element in the redevelopment of an identity I had carefully constructed through my life but lost, due to severe brain-damage at age 51. One of these is Américo Paredes '1958 *With a Pistol in His Hand: A Border Ballad and Its Hero*, which tells the tale of a Mexican ranch hand, Gregorio Cortez Lira. Cortez was the son of itinerant Mexican laborers who in 1901 found himself falsely accused of horse theft. The confrontation led to a gunman's battle in opposition to one of the dreaded Texas sheriffs. The sheriff ended up dead. Gregorio's story was popularized and spread through ballads and tales spiced with typical aplomb. We see the pattern emerging depicting the unfair struggle between Anglo Texas Rangers and common Texas Mexicans. Cortez epitomizes the heroic outlaw type: a common, working class man faced with unfair governmental opposition, who stands up for his rights with his pistol in his hand, and who accomplishes amazing escapes against all odds, to the point of having supernatural capabilities with animals which helped him to evade law enforcement. Cortez became a traditional folkloric outlaw-hero who sacrificed his liberty for the interests of his people.

Another related work is Larry Massey's 2015 *The Life and Crimes of Railroad Bill: Legendary African American Desperado*, which again, is about the desperation of a commoner. Railroad Bill was a laborer in Bluff Springs, Florida where strife developed between the predominantly white townspeople and the predominantly black laborers at a turpentine company. In 1894 the Escambia County sheriff unsuccessfully attempted to arrest the man who would then become known as "Railroad Bill" for carrying a repeating rifle without a permit. Railroad Bill went on to organize a band of thieves and robbed freight trains. Rewards were publicly offered, which increased in value as his crimes progressed from stealing, to wounding trainmen, to murder. In Railroad Bill's case, we don't even know his real name. The reader is presented with not only a commoner, but a black commoner. Black Americans had only recently gained freedom in his time and in the deep south that freedom was resented by many white Americans, which added significantly to his outlaw reputation. Thus, the effort to capture Railroad Bill carried not only the ordinary desire to bring an outlaw to justice, but also this outlaw was considered by many as an inferior person who should not have been free in the first place because he was black. Because of this Railroad Bill's bounty rapidly grows, yet attempts to capture him fail, and the tales of his outsmarting the law became popular among his people, African Americans who were suffering prejudiced judgements in all realms of their lives. Railroad Bill reached true folkloric proportions including claims that he was able to shape-shift at will or disappear into nothing. John Roberts notes:

Railroad Bill exemplifies the pattern followed by American outlaws. Railroad Bill arises out of the reconstruction South of Jim Crow laws and restricted social codes for blacks. His plight is representative of that of many blacks of the rural

South of the 1890s. Because he dared to resist the authority of whites, he became a symbol of black resistance to the oppressive social and political conditions existing for blacks in one of the few ways open them. (Roberts 1981:318)

And the important Robin Hood effect:

Railroad Bill also emerges as a Robin Hood figure, for he does steal something far more valuable to both blacks and whites than canned goods. In essence he steals from the whites the illusion that they were able to control blacks. (Roberts 1981:320)

The folk group from which Railroad Bill came includes not only the traditional heroic outlaw elements, but is punctuated by a style and form which rises out of the Black American historical experience that has an outlaw element of its own persisting to this day.

Finally, Ray Cashman's *Packy Jim: Folklore and Worldview on the Irish Border* (2016) has been important in my thinking about folklore and identity. Packy Jim is a storyteller, a good one, and he uses his narratives to introduce his nature and sell his philosophies. Packy Jim constructs the persona of a virtuous underdog. He is a person who is almost entirely independent yet feels victimized at times by his environment. Cashman also focuses on worldview. Barre Toelken defines worldview: "Worldview" refers to the manner in which a culture sees and expresses its relation to the world around it" (Toelken 1996:263). Cashman points out threads of similarity running through the worldview of others in Packy Jim's community, people from his past, and characters in his stories. A stated purpose of the book is to reveal how Packy Jim uses oral history to construct and project his self-identity in his dialogues with others and with himself. This

stands in contrast to studies that identify how historic individuals became folkloric over time.

One of the things about Packy Jim that particularly piqued my interest was that in spite of radical differences in geography and cultural base, I see close similarity in nature between Packy Jim and the principle storyteller I present in this thesis, Terry Nivison. Their character is reflected in the nature of the stories they tell. They identify with the nature of the stories they tell, outlaw, outsider, loner, but more importantly, they identify in being storytellers. Both are well aware that their identity is that of a storyteller.

Packy Jim is as much a storyteller working within a vernacular tradition of Irish narrative that we may wish to appreciate in its own right, as he is an individual using available narratives to compose a song of the self. (Cashman 2016:4)

Learning about the existence of family folklore and how it influences individual identity, as well as the overall relationship of folklore and identity also has been important to this thesis.

In *A Celebration of American Family Folklore*, Zeitlin, Kotkin and Baker observe, "The past is a dark screen occasionally lit by vivid images" (1992:5) This statement means that the everyday grind is occasionally illuminated by the light of significant events. This is true of all history, but is particularly so of family folklore, which individuals utilize to map out their own identity. Family folklore does not determine identity, but rather people use family folklore in their own ways to shape their own varying meanings, ideals and goals in the construction of their personal identity. My main interest in this thesis is how different members of my family use and respond to family folklore for purposes of identity.

My academic introduction into the field of folklore made me aware of the tradition of the heroic outlaw ideal and the relationship between that and my own experience in the outlaw world. In my own family it is the Nivison (father's side) that has deep roots in an outlaw tradition. Nivison family folklore traces our roots back to Robert the Bruce of Scotland, who was one of the most famous warriors of the time and a heroic outlaw of true, folkloric tradition who employed methods far outside the common realm of civility, successfully led Scotland, and supposedly died of syphilis (paraphrased from Penman 2014:261). The relationship between my own family and Robert the Bruce is likely concocted since the foundational roots of our surname, Naomhim, Nevinus, Nivien began to appear almost a thousand years before Robert the Bruce appeared on the scene. While this demonstrates that Robert the Bruce didn't originate the name, the fact that its origin was Scottish witnesses the possibility that there was some association between my ancestors and Robert the Bruce. At any rate, my family associates ourselves with him in our family folklore.

Another, more verifiable branch from my father's maternal side are the James brothers. Frank and Jesse began their outlaw careers as "bushwackers" (pro-Confederate guerrillas). After the war they organized various gangs, and robbed banks, trains, and stagecoaches across the Midwest. The historical truth is that the James Brothers were brutal. They were true criminals of the bad, rather than the heroic, variety, and were among the most feared, most publicized, and most wanted outlaws on the American frontier. My great grandmother, Susan Lavenia Parmer, was a James. Her daughter

Gladys Marie, my grandmother, married my grandfather Bill Nivison who, as illustrated above, also had a family lineage outside the boundaries of legality.

Nivison family lore includes far more accurate renditions of the history of the Jameses than what has evolved in modern media, which presents a romanticized, modern day Robin Hood tale, as illustrated by the quotation below.

Darryl Zanuck, head man of 20th Century Fox, promised my mother Jo James Ross that he would use her script instead of a completely false screenplay by Nunnally Johnson. But at the premiere of "Jesse James," when asked about how the movie compared to history, she answered: "Well, there were two men named Jesse and Frank James, and, oh yes, they did ride horses" (Ross 2001, <http://articles.latimes.com/2001/aug/25/entertainment/ca-38078>).

A similar perspective can be said of Robin Hood himself, who was "almost certainly not a single man; he is a collection of time honoured traditions that's personified into a single entity" (Lambert 2011, <https://www.heritagedaily.com/2011/10/robin-hood-the-unlikely-hero/13766>).

The James brothers exemplify the traditional folkloric evolution from hardened, bad criminal into outlaw heroism identified in previous studies and discussed above. Tales, literature and movies paint the James brothers as Robin Hood characters, stealing from the rich and giving to the poor. "Jesse James," said Carl Sandburg, "is the only American who is classical, who is to this country what Robin Hood...is to England, whose exploits are so close to the mythical..." (Maurer 2008, http://clevelandcivilwarroundtable.com/articles/biography/jesse_james.htm). Painting the James's as heroes is factually incorrect, but it is another example of how outlaws are made into folk heroes in narrative.

In my actual family folklore, however, the James stories were only occasionally told in family situations. When they were told, they were merely to set the stage for more modern Nivison family outlaw tales, principally about my grandfather, Bill Nivison, but also about my father and myself. I have recorded and transcribed a few of these stories for this thesis. Most of them fit the common outlaw pattern, identified by Richard E.

Meyer in *The Outlaw: A Distinctive American Folktype* (1980):

1- The American outlaw-hero is a “man of the people;” He is closely identified with the common people, and, as such is generally seen to stand in opposition to certain established, oppressive economic, civil and legal systems peculiar to the American historical experience.

2- The outlaw-hero's first “crime” – the one that launches his career – is brought about through extreme provocation or persecution by agents of the oppressive system.

3- The outlaw-hero steals from the rich and gives to the poor, in this and other ways functioning as one who serves to “right wrongs.” This, the so-called “Robin Hood” theme, is probably the most pervasive element in the lore of outlawry.

4- The outlaw-hero is good-natured, kind hearted, and frequently pious.

5- The outlaw-hero is characterized by the audacity, daring and sheer stupendousness of his exploits.

6- The outlaw-hero frequently outwits and confounds his opponents through a variety of “trickster” -type tactics.

7- During his career the outlaw-hero is helped supported and admired by his people.

8- The authorities are unable to catch the outlaw-hero through conventional means.

9- The outlaw-hero's death is brought on through a betrayal by a former confederate or friend. Along with the Robin Hood theme, this element—which one might reasonably term the “Judas” theme—is clearly one of the most universally present and heavily stressed motifs in the folklore of American outlawry.

10- The outlaw-hero's death provokes great mourning on the part of his people.

11- The outlaw-hero often manages to “live on” in one or a number of ways.

12- The outlaw's actions and deeds do not always provoke approval and admiration, but may upon occasion elicit everything from mildly stated criticisms and moral warnings to outright condemnation and refutation of any or all of the previous eleven elements. (Meyer 1980:111)

Our family stories carry all these elements or variations of them.

My real interest and intent in documenting these stories is not to identify patterns but to better understand how they shape individual identity. As Elliot Oring reminds us, “Identity is what binds an idea of folk to a notion of lore” (Oring 2012, 23). People derive their identity from folklore, but personal identity also acts as a rudder to the directional changes and variations that are inherent and imperative to the lore. What follows are versions of Nivison family narratives told by my son, Jeremy Nivison, by myself, and by my father Terry Nivison.

CHAPTER TWO: NIVISON FAMILY FOLKLORE

Jeremy Nivison (author's son)

Jeremy Nivison is my son, and he is the youngest of the three storytellers I examine in this thesis. I was eighteen years old when Jeremy was born in 1973, and thus our interests are more similar than those found in many father and son relationships. Jeremy grew up in my world working on the family ranch and participating in outside interests such as motorcycles, hunting, fishing and music, the last being the one that caught his principle interest. Music has been a prominent component of his upbringing. Every branch of his ancestry has been musically inclined and left a record of musical accomplishment. Thus, at an early age he naturally began to create his lasting identity as a musician. This is an identity that pushes his concept of self in a decidedly artistic direction while not relinquishing the outlaw aspect.

There are interesting parallels between the traditional "outlaw" and musical outlaws. The waves of musical change and innovation have always carried the implication that its participants are somehow outside the boundaries of normal, acceptable behavior, thus making them a kind of heroic outlaw. They often are victims of injustice from authorities. They align themselves with common people, sacrificing themselves for a cause, and winning. They do what the average Joe would love to do, engage in outlandish adventures, and achieve immortality. Elvis Presley, Jim Morrison, Tupac Shakur, Michael Jackson, Prince, and the Beatles all stand as examples. Musical outlaws exist outside the boundaries of regular music traditions. Jeremy identifies with

this desire to be beyond the fashionable or prevailing commonplace role that most young, developing musicians play. Rather than following the norms suggested by his teachers, and even his father, Jeremy has followed the outlaw musician path by focusing on more obscure musical genres such as blues, jazz and punk rather than the more traditional rock-and-roll or country genres so acceptable to the normal listener.

On the evening of June 7, 2019 we had a Nivison family get together which included as the principle storytellers, Grandpa Terry, myself, and Jeremy, as well as other family members including nieces, nephews and several friends who had never been present at a Nivison family get together such as this, thus providing a *new* audience for the stories and which was an important component of a “this is who we are” presentation. I recorded the session and transcribed the following three stories for this thesis. This session was unusual in the fact that the storytellers were aware of the fact they were being recorded and that the stories would be analyzed academically. Having been present at many such storytelling sessions, I saw little difference in the storytelling between the examples given here and the more traditional, impromptu sessions these were collected to represent.

Jeremy opened the session by telling a staple of the Nivison family folklore repertoire:

“The Horse Race”

Well, one time grandpa Bill rode his horse into a bar and a, he went in there and he's like, he's like, I'll betcha my horse can beat your horse in a race, and I'll betcha I could beat you, and he's like, 'I'll even run barefoot. 'And then they had a race and he won. That wasn't a very good version of the story, but you know the story so that was the short and skinny.

In Jeremy's version of this story, it is apparent that he is aware of the fact that the story has already been often told to these listeners, and while he relates to the "I could do that blindfolded" nature of the situation, it is not Jeremy's story, it is rather, a *kernel*, "a brief reference to the subject, the central action, or an important piece of dialogue from a longer story" (Kalčík 1975:7). The kernel of a story is the central and most important part of it. It can be summarized in a sentence or a short phrase or even just a brief reference. Jeremy's condensed version of the story carries only the bare essence, or the kernel, of the tale. Grandpa Bill made a bet that became a physical challenge, which Grandpa Bill won against all odds. In presenting but a kernel, Jeremy takes the role of *passive tradition bearer/carrier*, defined by Wilhelm von Sydow as follows:

Most of those who have heard a tale told and are able to remember it, remain passive carriers of tradition, whose importance for the continued life of the tale consists mainly in their interest in hearing it told again (Von Sydow 1965, 231)

Passive tradition bearers contrast with active tradition bearers, defined according to von Sydow as

"...a very small number of active bearers of tradition equipped with a good memory, vivid imagination, and narrative powers do transmit the tales" (Von Sydow 1965, 231).

The active tradition bearer in this storytelling session would be Grandpa Terry, who was present at the time of the narration and carries not only the qualities mentioned by von Sydow, but is the son of the protagonist, and thus would be expected by everyone involved to deliver the official version of the story. Because there is an active tradition bearer present in the storytelling session, Jeremy takes on the role of passive bearer and

presents a story kernel instead, expecting the active tradition bearer to amplify the kernel into a full story.

In her description of the concept of kernels, Susan Kalčík explains that what develops from the kernel is the *kernel story*. In Jeremy's case, he follows the kernel, his bare bones telling of the "horse race" story told by commenting, "It's just cool. He was a tough old cowboy type who worked his way across the country and was tougher than nails." He then follows his telling of only the kernel of the "Horse Race" story with a story of his own:

The guy who manages KSM [musical instrument store] was stringing a guitar and he was takin 'so long, I told him I'll string that Washburn with the Bigsby tremolo (those are the hardest to string) and I'll do it with one hand twice as fast as you do this one. He bet me 20 bucks and lost his 20 bucks!

By telling the kernel of "The Horse Race," Jeremy connects to the essence of that story, the "I can kick your ass and I'll do it blindfolded" outlaw concept that flows through most of the Nivison stories. Jeremy then connects that essence to himself by following the kernel with his own story which transfers the same implied "I'll kick your ass and do it blindfolded" outlaw attitude of his predecessors onto himself, but in an entirely different situation. In this case, Jeremy's winning performance is achieved in the world of music rather than the world of foot racing. Instead of a horse race Jeremy is up against the manager of the top local guitar store. Instead of running barefoot, Jeremy strings a Bigsby tremolo rather than a typical guitar bridge, which is far simpler, and does so using only one hand. The same outlaw attitude is completely intact, but now in the

world of music. Thus, Jeremy points out the familial continuity which he carries forward using a music related variation built on the same kernel.

The next story was told by Jeremy at the same get-together:

“The Boy Ran Over”

Bacon:

Okay, let’s hear another one. And it doesn’t matter where the story came from, just as long as if I told it, or grandpa told it, or anybody told it, that’s family folklore and that it rang a bell for some reason.

Kimmie:

FYI Dirty Ernie was not a relative [Dirty Ernie being a reference to a string of off color jokes told by Grandpa Terry]

Jeremy:

Okay. [chuckling] Well I was thinkin’ about two other stories but they’re, one was when you were talking about like pulling out of this drive through in Salt Lake and ran over someone’s baby.

Bacon:

Okay.

Kimmie:

Yeah, we did run over someone.

Bacon:

Tell the story.

Jeremy:

Well you said that you were in your Jeep and you were pulling out of the drive through and someone’s baby was crawling along and you ran over it.

Kimmie:

It wasn’t crawling. It was a two-year-old got away from its mom at this window.

Jeremy:

Whatever, that’s the way I remember it.

Kimmie:

The back tire went over a bump that the front tire didn't. Brian looks out, Bacon says 'what's that?' Brian looks out and says, 'looks like you just ran over a kid.' We're like WHAT? Just like that.

Jeremy:

For some reason that story really stood out cause I was like, WHAT? [The child was all right, miraculously]

Jeremy again takes the role of passive tradition bearer in telling his narrative and presents a kernel, the bare essence of a tale. The tale essentially is that dad ran over a child that, on other occasions, he has followed with commentary such as, but the kid was all right! Rather than being expanded upon by Jeremy telling another story, however, as in the above example, we see a different aspect of the expansion of a kernel in which, "another narrator wins a competition to speak next" (Kalčík 1975, 4). In this case, Jeremy's mother Kimmie, who was physically present at the event being related, positions herself as being more an *active bearer* than Jeremy. Jeremy welcomes his narration being amplified by what he sees as a more qualified narrator, one who actually witnessed the scene.

About this story Jeremy says, "It's just cool. That kind of thing just doesn't happen. You ran over a little kid, right over the top of him. Should've killed him but he wasn't hurt?" This theme, which can be summarized as "whatever happens, we walk away smiling!" is a theme that appears in some form in all the Nivison tales. There are no tragic conclusions such as, "then he got arrested and went to prison," "he lost all his money," or "he died in the ambulance." Rather, it's, "and if he did die, he came back to life!" There is rarely a down-side in our family folklore, and if there is, we still come out

ahead! This is dangerously close to the supernatural element that often appears in heroic outlaw tales such as that of Gregorio Cortez, who is seemingly able to disappear when being pursued, or Railroad Bill's ability to shapeshift and thus escape capture.

Finishing up his session on that same evening, Jeremy tells the "Greasy Spoon" story below, opening by expressing how he typically presents the tale to his own children:

"The Greasy Spoon"

Jeremy:

I'll say, 'you know, things have changed, it's like, when I was a kid, I'd start by tellin' 'em some stories about me, you know? And then I'd go on and sayin' that was when I was a kid. When grandpa Bacon was a kid it was even cooler. Back then, you could get away with a lot more than you can now.

One time, you know that place when we're goin' into Richmond when we're going into town? It's the place where they filmed "Napoleon Dynamite." And they're just sitting in the restaurant eating there. That's Jed's Burger Bar. There used to be a little car wash next to it. It wasn't always what it is now, it was way cooler then, we used to go there every day. We worked at the mink. Everyone worked at home, dad and grandpa and I. In the summertime I'd be home all day and every day we'd go up there for lunch. Dad would order two foot-longs...

Kimmie:

Still does.

Jeremy:

Still does, probably, and I'd order a, they had a jumbo burger and it had ham and cheeseburger with ham on it, pretty good, and I'd be tellin' 'em all about the food and everything and say, 'well anyways, there used to be a sign on the roof. This guy that owned it, his name was Jed, I can't remember his last name, Jed Robinson probably but, probably not.

Kimmie:

It is Jed Robinson.

Jeremy:

Oh is it? Okay, see I remembered. And the big sign said “Jed’s Burger Bar.” One day in the middle of the night your grandpa Bacon crawled up on there and he painted, all fancy, like super professional, and he painted “The Greasy Spoon.” With big cursive letters all fancy, and one spoon on each side dripping grease, and he snuck out and no one knew. That’s the way I would tell it. And the next day they saw it. And when the guy... they saw it, they knew right away who’d done it. And so, I don’t know for sure what happened, like he never told me how he got caught or whatever, but I’m sure they called grandpa Terry. Oh, and that’s another story I’d tell. I just don’t tell ‘em, we don’t bring ‘em up. Now that my brain’s starting to turn I’m rememberin’ all these stories. Another story that I have told Miles and Lucas is the story about when they told you to cut your hair. And then grandpa grew his hair out. The principle called grandpa Terry, and grandpa Terry told him your hair was none of his fuckin’ business.

This third performance was by far the most notable and here Jeremy clearly dons the role of active tradition bearer. In his telling of this story he gave an enthusiastic performance. He assumes the air of authority, speaking boldly, and broadcasting the impression that this is his story and that he is qualified and authorized to tell it. Although the story relates an event that took place years before Jeremy’s birth, the people involved were very familiar to him and the location was one he had frequented all his life, including having taken his children there.

One of the reasons Jeremy becomes an active tradition bearer in telling this story is that he references telling the story to his kids as they were actually sitting in the diner in which the story takes place. He therefore used this story to make it relative to both his time and theirs, situating them literally within the context of Nivison family outlaw folklore. In doing so, he uses the folklore to foreground both his identity as a father and as a member of the Nivison tradition. He uses the story essentially to say, “We are members of this family boys.” His commentary is also illuminating: “You know, things

have changed. ... When grandpa Bacon was a kid it was even cooler, back then you could get away with a whole lot more than you can now.” Get away with? Sounds like an outlaw raising outlaw kids to me. He describes the event as though he had actually been there and the story included his personal involvement in the abstract sense that he related the artistic element in his narrative (the painting of the sign) that no one else telling the story does, illustrating yet another way in which he shapes this narrative in his own way. He emphasizes that his father had done a professional quality work of art in painting over the restaurant’s sign, including spoons dripping grease. In doing so, he introduces something relevant to his own identity as a musician. While it’s not music, he is painting the Nivison version of Jaco Pastorius, (a monumental jazz bassist who was an outlaw, known for bar fights and outrageous behaviors, yet an artist of the highest caliber).

Bacon Nivison (author)

Of the three individuals considered here, I come far closer to the traditional outlaw persona. I was a high school dropout, did drugs and drank alcohol, and was a biker (no, not the spandex variety). I was into hard-core adventure, rock climbing, and skiing off cliffs. I thumbed my nose at “legalities” and traditional civility. The Nivison family tale that stands out for me is “The Horse Race.” What follows is a transcript of that story taken from an entry in my journal, dated Thursday, Aug. 12, 2004. At the time I was 49 years old and had heard the story told dozens of times by my father and by numerous friends of the family. My journal entry reports the story as follows:

“The Horse Race”

Back when grandpa Bill was in his 50s, he and his friends from the Richmond Riders were at a horse race in Downey Idaho. The feller who won the race that day was in the local bar celebrating. Grandpa Bill rode his horse right into the bar through the swingin' front doors in and up to the table where the feller was sitting with several of his friends, and challenged him to a horse race for a thousand dollars, which was a hell of a lot of money at the time. In spite of encouragement from his friends, the feller declined saying, "I've got nothing to prove, I won the race today."

Grandpa Bill

"You didn't win a thousand bucks."

Feller

"I'm not gonna run him twice in one day."

So Grandpa said, "All right, let's have a foot race out front. This challenge, the feller also declined, so grandpa said, "All right, I'll run barefoot." This was before pavement had been laid on that road, so it was a gravel road.

"Hell, I haven't got a thousand bucks on me," the feller said.

Grandpa Bill:

"Well, how much then?"

The feller, being teased and razzed by his friends, finally said, "OK fifty bucks?"

Grandpa Bill says, "Let's go."

They went out through the saloon doors followed by most of the crowd from inside. A guy was chosen to fire the starting gun. Grandpa Bill and the feller crouched at the starting line, the starting gun was fired, and grandpa Bill immediately took the lead. Halfway to the finish line the younger feller gave up. They walked back into the bar, grandpa put his boots on, collected his winnings and the party began. Everyone was buyin' him drinks and he got right properly blasted!

I never heard grandpa Bill tell the story, but when he heard it he'd say, "Grandma Marie was such a comfort to me that night."

This story resonates with the elements of swagger, will to win, physical toughness and resilience believed (and rightly so) by the tellers to be flowing through the veins of

the Nivison tribe. A fifty-year-old man wins a foot race, running barefoot down a gravel road. The themes here are common folkloric elements found in traditional outlaw-hero stories such as that of John Henry.

When Grandpa Bill was alive I told the story specifically in reference to him, and I told it along with other stories that emphasized his individual toughness and courage, while also pointing out the irony of a pharmacist being so bold. After his passing, the narrative evolved into a commentary about the Nivison family in general, but when I tell it, it's really a story about me specifically. I tell it because I want to be the guy in that narrative.

From youth I was an outsider in a world of "prim and proper" Mormons. By the age of twelve, I was seen, and proudly so, as an outlaw. By the time I reached my teenage years I fully identified as a biker. I built my first chopper at the tender age of sixteen. It was a fully self customized, stripped down, raked and modified Triumph Bonneville, a Hell's Angels style chopper. One of the stated rules in the Richmond North Ward church basketball and softball teams was, "If you're seen with Bacon, you don't get to play." I saw this as a victory in a similar light to that of the "Horse Race" story. I can't go into the church house, but I'm envied by those who can. I didn't beat 'em in a foot race... but I could have! This narrative, therefore, inspired me to be like Grandpa Bill. I wanted to be the outlaw in was in the story.

The next story is my rendition of another story about Grandpa Bill that I call, "The Kid Boxer." It has been transcribed from a recording of a family get-together which

included myself, my father Terry Nivison, my son Jeremy Nivison, my niece Ashley Harris and her boyfriend Cade (who is from another family with a strong outlaw background). My telling of this story was recorded on January 21, 2019.

“The Kid Boxer”

Grandpa Bill had the reputation of being a real badass. I never saw him in a conflict situation but I heard stories of his being unbeatable, this while I was moving more and more to the outlaw side myself. I finally asked him if it was true. ‘Well, Bacon, I’ve always been able to hold my own.’

Uncle Jim, who grandpa had known most of his life, told me, ‘one of the reasons your grandpa was such a tough son of a bitch, is because he never gets mad. I don’t know if it’s because he’s tough, or because he’s controlled. He’s such a hard hitter, he sees the opening and clocks the guy. ’So, wanting to achieve that kind of reputation, I asked grandpa.

He told me, “Well when I was a kid the section gangs used to go through town and they would pay us kids to fight. They’d give the winner a quarter, which was a lot of money at that time. I didn’t like fightin’ all that much, cause even if you win you usually get hurt. So for me it was a matter of gettin’ it over with quickly. Because of the work I did, I was a hard hitter and I soon learned if you hit ‘em hard enough in the right place, it’s all over. This went on for years and the kids who got beat soon quit fighting so it got tougher and tougher and so did I.

For a young fellow to hang out at a section gang camp would require a significant level of courage even if there were no fighting involved. Courage is one outlaw characteristic. Another outlaw characteristic that this story illustrates is a character who is cool, calm, and collected. “Being cool isn’t about bottling up emotion that is there; it has more to do with being master of the option of whether to have the emotion or not” (Tyrell 2009). When outlaw characters show anger it’s directed at corruption, officials, injustice, and the situations are dealt with coldly, boldly and effectively.

When we lose our cool, we stop thinking properly. Emotions like fear or anger swamp the neo-cortex - the bit inside your skull that retains logic, detachment, and strategic thinking ... Being cool isn't about bottling up emotion that is there; it has more to do with being master of the option of whether to have the emotion or not. But how can we do this? (Tyrell 2009).

<https://www.uncommonhelp.me/articles/how-to-keep-a-cool-head/>

The cool-headed character exemplified by Grandpa Bill in this story was one I consciously exercised as soon as I became aware of it being a valuable quality. I never saw Grandpa Bill lose his cool. The closest he ever came in my presence occurred when I was teasing my younger sister. Grandpa Bill said, "Bacon," completely cool, but there was something in his voice that chilled my blood. I never teased my younger sister in the presence of Grandpa Bill again. None of his descendants mastered that cool but we all try. This is another example of how my family folklore affected me directly.

Another story transcribed from the same January 21, 2019 recording is me telling "The Train Robbery," and it focuses on the next Nivison generation after Grandpa Bill.

"The Train Robbery"

When Grandpa Terry was about twelve years old, he'd been thinking about the James brothers (Frank and Jesse) and reading books about train robberies. He and a couple of his friends decided to do a train robbery. There was a railway that ran through Cache valley and it passed Richmond to the west. They decided to derail the train. They stacked a bunch of wood across the tracks, hid behind a bush and waited for the train. Well, it worked, but now they were faced with the problem of actually robbing the train. A significant problem since it was nothing but boxcars carrying freight. This problem was amplified by the fact that the county sheriff soon showed up on the scene. Yep, grandpa Terry was now an outlaw!

Here we have a truly outrageous exploit, one that would not be considered by a logically thinking person, even at that young age. Yet it was not only thought of, but also actually attempted by a young man under the influence of family folklore. In

accomplishing this feat, the character evidences the trait of: “5- The outlaw-hero is characterized by the audacity, daring and sheer stupendousness of his exploits” (Meyer 1980:106).

In my own tellings of these narratives, I take the role of a much more active tradition bearer than we saw Jeremy take in telling the same stories. I wanted to be the character in the stories. I am closer to Grandpa Bill and Grandpa Terry in time, having spent my life with both of them present, while Jeremy is only directly cognizant of Grandpa Terry and never knew Grandpa Bill personally, which is a generational difference. Also Jeremy’s personal identity goals also vary from mine. In Jeremy’s case, his demonstration of outsidership is as a musician, whereas my focus is almost completely on the outlaw side of the picture. Both of us see ourselves in the story of Grandpa Bill but we extract different subtleties, which lead to our individual interpretations in the telling of the same tales. Both interpretations grew from the same kernel, but Jeremy incorporates the themes into his artistic identity in an artistic direction, while I go complete outlaw “Fuck you and the horse you rode in on!”

Furthermore, in the actual story telling situations we are examining here, Jeremy moves directly from Grandpa Bill to stories of his father in the tale “The Boy Ran Over,” while I remain talking about Grandpa Bill. To me, “The Kid Boxer,” is more relevant to my personal view of the outlaw because the story contains the same “I’ll stop at nothing” ideal as does “The Race Horse” story, and it leads up to the “Grandpa Bill Jumped Over the Counter” story, which I would have told next, but didn’t because Grandpa Terry was

present and I recognized him as the more active tradition bearer. Each of us uses the same stories, subtly modified in our own individual ways to engage each of our own desired identities.

Terry Nivison (author's father)

Terry Nivison is my father and the patriarch of the family. Of the three of us Terry would definitely be seen as the *tradtitor*:

The really active carriers of folk-tale tradition, the traditors, are but one or a few in the district, who are called upon when people want to hear folk-tales. Each of them knows but a few tales, but knows them well. They tell them with life and gusto (von Sydow 1977: 49)

Terry is quite literally a performer and that is a key component of his identity. Terry idolizes his father and keys his own identity to the fact that he is Grandpa Bill's son. In Terry's case, it is the telling and performance of the stories that reflects his identity. Terry takes on the rolls of the characters he's talking about. His storytelling is a practiced performance.

The following is a transcript of a recording of Terry Nivison telling "The Craps" story to Bacon, Jeremy, and Ashley (his granddaughter) during a family get-together on January 21, 2019.

"The Craps"

Terry:

The story about him winning his graduation suit money from shooting craps with the section gang."

Jeremy:

"That's another story I was gonna tell. I heard that..."

Terry:

“You might, you’ll have to explain to ‘em what a section gang is [referring here to the academics who would eventually be considering the stories]. Those are the boys that repair the tracks and they work their way up and down, and my dad won, it was 60 bucks and he had to promise ‘em he’d come back the next night, and he hid out till their job took ‘em on down the line. And he got on the train and rode it, I can’t remember the name of the town, but they could get to a bigger town on the railroad. And he bought his graduation suit and dresses for his little sister and his mom, with that sixty bucks. That’s a good story, I’m not sure if much of it’s got anything to do with folklore.

Bacon:

It’s all folklore. It’s perfect!

It is interesting to note Terry’s comment about folklore, “I’m not sure if much of it’s got anything to do with folklore.” Yet his story has everything to do with folklore. It is living, breathing folklore in all its glory, including elements of the heroic outlaw tradition: “4- The outlaw-hero is good-natured, kind hearted, and frequently pious (Meyer 1980). In this case thinking of “5- The outlaw-hero is characterized by the audacity, daring and sheer stupendousness of his exploits (Meyer 1980:106), a kid shooting craps with a section gang and not only whupping ‘em, but convincing them he’d be back the next night.

The next story is transcribed from the same January 21, 2019 meeting.

"The Horse Race"

Terry:

The Richmond Riders, they were good, they won prizes everywhere they went. There was a young man that had a race horse that was supposed to be invincible, and my dad found out that the young man was in the bar, so he rode his horse into the bar over to the table where the young guy was and says, [Terry adopts the character and vocal styling of Grandpa Bill] ‘I got a thousand dollars that says, this horse’ll outrun your horse.’ And he said that the young man wouldn’t bet and then my dad said, ‘thank God’ then my dad said, and he was sixty or better then, he said...well fifty or better... he said, ‘I got a hundred dollars that says I can

outrun you and I'll run barefoot. The kid took him up on that bet and my dad won. And then everybody in the bar bought him a drink and when he got home he was blotto. And my mother asked him where his horse was, and he said, 'what horse?' 'Course I knew he knew where his horse was.

Anyway, when he would tell that story, and his wife's name was Marie. When he would tell the story, he would end it with 'Marie was such a comfort to me that night.' [laughter]

Jeremy:

Whadayamean... hold on a second, I've heard that story a thousand times. What's the part where you say, 'Marie was such a comfort to me that night?'

Terry:

He'd tell the story, and he'd say, 'Marie was such a comfort to me that night,' meant he caught hell when he got home. That's what he meant.

Jeremy:

Okay, that's what I thought.

Terry:

Yeah, that's exactly what he meant. And I never in my life saw him catch hell. Course there's a lot I didn't see.

Terry's version of this story reflects a specific focus on Bill Nivison and includes the line, "Marie was such a comfort to me that night." The line was included in many stories about Grandpa Bill and was a line often used by Grandpa Bill himself. The humor of the line would be lost on those who didn't know Bill and Marie and is characteristic of Terry's identification as storyteller as Terry would actually impersonate Grandpa Bill in tone and character as he delivered the line. Following that with a knowing smile, Marie might have teased Bill over his exploits, but the line really means that she was angry, and Grandpa Bill wasn't all that concerned. The story remains essentially very similar to the version

given by Bacon, yet evolution of the tale that is characteristic of folklore, is nicely displayed.

Next is another installment in Terry's Grandpa Bill serial,

"Grandpa Bill Jumped Over the Counter."

Somebody said something to my mother, and I know not what, but he was behind that little counter where the cash register is, except it was down the row. He jumped right over the top of that and had that guy by the shirt and shoved him up against the show cases on the other side and said something to him, and I don't know what. [Terry goes through the motions and imitates Grandpa Bill's angry expression, and whispered words]. And the guy quickly exited the store.

This story appears to place Grandpa Bill as someone who is hot headed. He jumps over the counter, grabs the feller by his shirt and slams him into the showcases on the other side of the room. Note, however, that not a punch is thrown, it was Grandpa Bill's words that had the effect. The conflict ends with whispered words, after which the man rapidly leaves the establishment.

Grandpa Terry's role as traditor brushes closer to his identity than do the stories he tells. He views his father, Grandpa Bill, as a hero. His story sessions begin with stories of Grandpa Bill's toughness and determination, and evolve into tales of the good things Grandpa Bill did for people. For example, Terry notes, "After he [Grandpa Bill] died, we went through his ledgers and found that he'd given away thousands of dollars worth of medications to people who were struggling financially." That, my friends, is a heroic outlaw!

Here we've seen three unique individuals with three very separate identities.

Jeremy is an outlaw in the musical sense; I am a more traditional outlaw, and my father

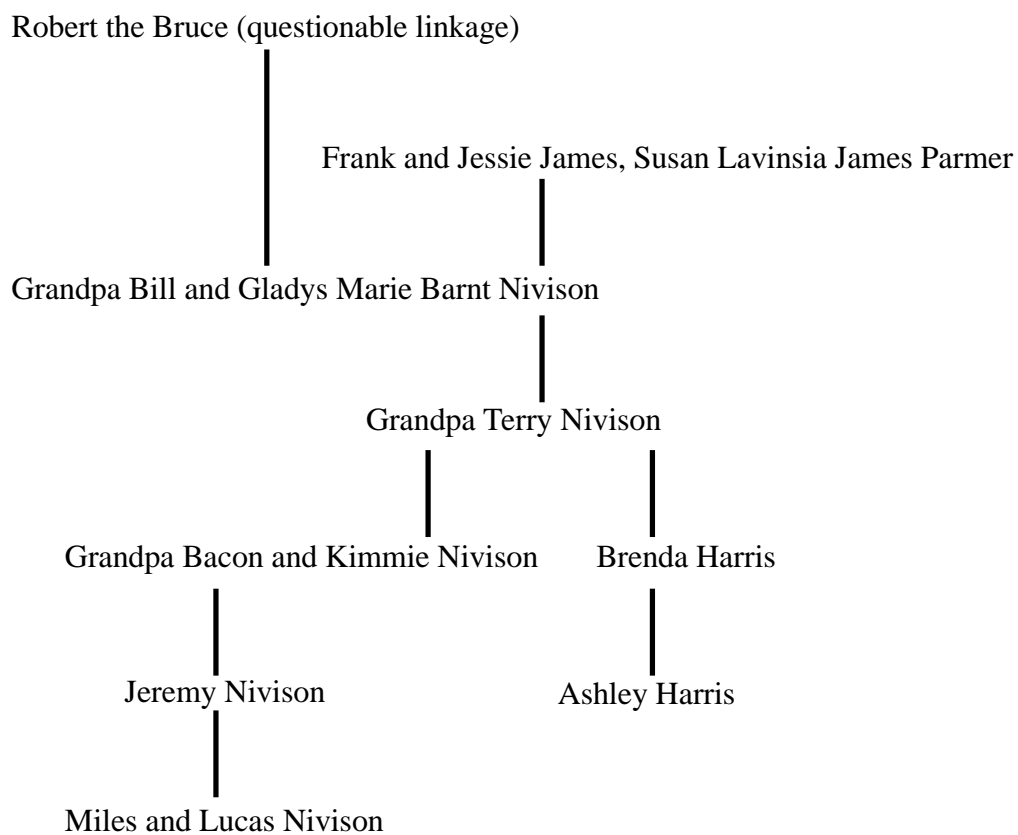
Terry is a storyteller. Terry is acting out in narrative the stories of his past, Bacon is telling stories of what he sees as the nobility of the outlaw, and Jeremy is announcing the uniqueness of his musical style, outlaw musician. All of us have been affected by our family folklore, but we also shape that lore as being indicative of our own personal identity. In conclusion, the vast majority of my family folklore uses an outlaw framework to create identity. Within that framework, each individual creates his identity in his own, unique way.

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APPENDIX A. NIVISON FAMILY TREE (OF THOSE MENTIONED)



All others mentioned are friends of the family.