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A NARRATIVE OF RECLAMATION FOUND IN THE PUBLIC HISTORY OF
THE EASTERN BAND OF THE CHEROKEE INDIAN

A Thesis
Presented to
the Graduate School of
Clemson University

In Partial Fulfillment
of the Requirements for the Degree
Master of Arts
History

by
Caroline Mitchum Ross
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Accepted by:
Dr. Joshua Catalano, Committee Chair
Dr. Douglas Seefeldt
Dr. Pamela Mack

ABSTRACT

This thesis covers the development of the tourism industry surrounding the Eastern Band of the Cherokee Indian in Western North Carolina, specifically the evolution of the outdoor historical drama *Unto These Hills* written by Kermit Hunter. The chapters to follow examine the development of the production in conjunction with the broader historical context, analyze Kermit Hunter's original script contextualizing the material and Hunter's narrative choices, and elucidate the history and representation of one of the production's protagonists. All of this to demonstrate not only the misrepresentation and inaccuracy of the original production, but to discuss the production's role on the reservation today. As other historians have argued, the installation of the tourism economy in the 1930s-40s was exploitative and undoubtedly altered the way Americans have come to understand and interact with Cherokee history and culture, and the people themselves. It is true that the economic realities the Band was placed in were designed by those with little care for historical accuracy or for the preservation and protection of the Cherokee people. When the tribe took over the Cherokee Historical Association, the entity responsible for the production, the tribe gained control of the narrative which had defined them for over fifty years. They tried creating entirely new narratives around which to center their public facing identity. They have chosen, however, to return to a narrative which was once used to silence their voices. They have reclaimed Kermit Hunter's *Unto These Hills*, reclaimed the heroic figure of Tsali, and reclaimed the agency which was stripped from them in the creation of the original production. Through its careful analysis, this thesis argues that authenticity and historical accuracy is defined by

the people represented by the display of public memory, and though the story may be littered with questions and curiosities, it is the Cherokee story to tell.

DEDICATION

This thesis is dedicated to the many people who supported me, both personally and professionally, throughout this journey. It is dedicated to my grandmother whose thirst for knowledge I inherited, to my parents and brother for helping me through the long nights, to my many friends who celebrated every milestone, and to my little dog for spending the sleepless nights by my side.

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INTRODUCTION AND HISTORIOGRAPHY

One of the key battles the Cherokee as a people have faced continually in their relations with European and later American government is an ever present need to maintain sovereignty and assert agency amidst the settler-colonial nation growing up around them. The Cherokees of the nineteenth century fought to maintain political sovereignty in their lands which were steadily shrinking when the debate over Removal began. Through treaties forged first with European governments, then with the new United States of America, Cherokees were pushed further and further from their ancestral homelands. A people who once spanned five modern states, found themselves confined to the mountains of Georgia, North Carolina, and Tennessee. By the early 1800s, the people of Georgia were no longer interested in maintaining peace with their Native neighbors. Gold had been found in Cherokee country and white Georgians made clear to local, state, and federal governments their desire to enter that land to mine. The Cherokees were confronted with two choices, continue to sacrifice their sovereignty by ceding more and more land to the demands of their white neighbors, or do as the federal government had suggested and pack up their families and their lives and move west. Relocation, for many, seemed the safest and the most peaceful of the two options. Others were more obstinate, believing that they must remain in their ancestral homes above all else. The Cherokees found themselves divided as a people.

Some Cherokee leaders chose to fight for their sovereignty in terms the American government would understand, advocating for their rights as an independent nation in Congress and before American Presidents. Their efforts were unsuccessful and the order

for removal sparked the Trail of Tears. One group of Cherokee in the North Carolina mountains were allowed to remain in their mountain home, exempt from the direct impact of the Trail of Tears. The Qualla Town Cherokees, so named for the area of the mountains in which they lived, were allowed to remain behind when the round up for the march began in part because they lived on land they, or their leaders, legally owned. This, however, is not the only explanation as to why they and the refugees from the Trail of Tears were allowed to remain. The modern Eastern Band of the Cherokee, the descendants of the Qualla Town Cherokee, use the outdoor historical drama, *Unto These Hills*, to point to a different creation story. They point to the story of the martyr Tsali who records claim sacrificed his and his son's lives so that a portion of his people, the refugees who fled from the march and the Qualla Town Cherokee could remain in the mountains of North Carolina.

This creation story, the birth of the Eastern Band of the Cherokee Indian from a story of sacrifice and tragedy, is the centerpiece and starting point of many public commemorations on and around the Cherokee Reservation in western North Carolina. One such public commemoration, the outdoor historical drama *Unto These Hills*, remains an influential part of the public history sites on the Qualla Reservation today, seventy-two years after it was first performed. The cyclical nature of American fascination with Indigenous cultures inspired white tourism promoters to capitalize on white America's most recent fixation. On the surface, they manipulated a narrative of tragedy for entertainment, but as time has gone on and the memory sites have evolved alongside the Eastern Band, the perception of this narrative has shifted.

The history to follow is one of overlapping narratives which sit at the conjunction of multiple historiographies: Indigenous history and the history of the Eastern Band of the Cherokee intersects with public memory and the performance of indigeneity. More specifically, this work engages with those who have examined the relationship between outdoor historical dramas and their predominantly white audiences.

Historiography

Phillip J. Deloria, an Indigenous historian and professor at Harvard University, has thoroughly examined the intricacies of writing Indigenous history from a native perspective. In his historiographical essay, used as an introduction to *A Companion to American Indian History*, Deloria identifies one of the many complications in writing native history, the dichotomy between writing as an Indian and writing as a non-Indian. Any historiographical pursuit must necessarily begin with an epistemology, an explanation of how historians and other academics know what it is they claim to know. For Deloria, any historiography, but especially one in which there is a cross-cultural examination, must “always confront the epistemology of difference.”¹ In the case of Native American history, for example, how have non-native historians understood natives to be different, and how have native historians understood non-natives to be different? Furthermore, one must understand how the epistemology of the subject has evolved over time. How have both sets of historians, native and non-native, come to understand their difference and how has the understanding of Indigenous history changed in connection to

¹ Philip J. Deloria and Neal Salisbury, eds., *A Companion to American Indian History*, vol. 4, 16 vols. (Malden, MA: Blackwell Publishing Ltd., 2002), 6-7.

the socio-political influences surrounding those differences? Deloria's discussion of Native Historical narratives, the importance of myths and legends and oral traditions in Native understandings of history, contends that it is necessary to understand how these traditions have been mistreated by non-natives. Choosing to begin Cherokee histories with European contact overlooks the value of oral traditions. This same treatment has been given to the story of the martyr Tsali. Is it a myth and should be dismissed as such? Or does it have value because of its connection to the construction of identity for the Eastern Band? Perhaps the answer need not be so mutually exclusive. Can the heroic tale of Tsali serve as the Eastern Bands' origin story without the necessity of questioning its historical authenticity? This dismissal of the Tsali narrative as myth is no different from the dismissal of all native origin myths.

Cherokee Historiography

A study of Cherokee historiography must include one of the earliest histories written about the people. James Mooney (1861-1921) was a largely self-taught ethnologist who worked for the Bureau of American Ethnology. During his lifetime, his works were only published in the annual reports and bulletins completed by the Bureau. After the Bureau's publications came under the purview of the Smithsonian Institute, they were reorganized to make them more accessible. Mooney's first re-published report was titled "Myths of the Cherokee," originally published in the *19th Annual Report, 1898-1899*. Mooney, despite recording some of the first written histories of the Cherokees, was careful not to refer to himself as a historian. He was an ethnographer by

trade and his reports were a “product of that position.”² As such, his methods of observation were not distanced, intellectually or physically, he lived among his subjects, as he understood them to be, learned the Cherokee language, and “established personal relationships, and interacted within their society.”³ The version of Cherokee society which Mooney observed was one which had long suffered the influence of Eurocentric thought, and Mooney’s treatment of Cherokee pre-history exemplifies a broader issue characterizing histories of Native Americans during this earlier period. Most histories of the Cherokees, and many such native peoples, begins with the arrival of Europeans to their continent, with their first contact with explorers or settlers. For the Cherokee this means that their history, the commencement of their historical narrative, begins with a Spaniard named Hernando de Soto. While this practice has been justified in citing the necessity of a written record for history to be written, European American historians and ethnologists in this early historiography neglected Cherokee oral traditions as potential sources for historical and cultural sources. For example, in John Conley’s *The Cherokee Nation: A History*, he cites a legend the Cherokee have used to explain their arrival in what would become their home in the southeast. Originally recorded by an Englishman in 1717, the “Cherokee Migration Fragment” offers details about the early people’s journey to “a mountain of snow and ice,” which led them to “a country that could be inhabited.”⁴ The Cherokees oral tradition offers explanations for the everyday phenomena of life, but

² James Mooney, *Historical Sketch of the Cherokee*, A Smithsonian Institution Press Book (Chicago: Smithsonian Institution Press, 1975).

³ Mooney, viii.

⁴ Robert J. Conley, *The Cherokee Nation: A History* (Albuquerque: University of New Mexico Press, 2005).

most importantly it tells the history of the people as they understand it. It was not until the 1980s, when what historians called “New Indian History” began to include oral histories and traditions as a part of the discussion of Indigenous history before contact with Europeans.⁵ Rather than their history beginning with the intrusion of white men into their narrative, it again begins with what the people define as their origin.

Historiography of the Eastern Band

As the Cherokee began their forced march to Indian Territory, a group of Cherokee were able to remain behind in the mountains of western North Carolina. As their people divided, so too did their history. There are two main theories as to how this occurred, but the prevailing perspective among the Eastern Band themselves centers around their martyr. It has been told that a Cherokee farmer named Tsali sacrificed his life and the lives of his sons for the continued existence of the Cherokee in their mountain home. Tsali’s story, even his existence, are a matter of debate among contemporary scholars.

When James Mooney tells the tale of Tsali, he relates a chronicle brought to him by an elderly William Thomas and one of Tsali’s own surviving grandchildren. According to Mooney’s report, Tsali, or Charley as he was known to whites of his time, found himself in the middle of the Cherokees' fight to remain in North Carolina. The round-up had already begun. General Scott started ushering hundreds of Cherokees from their homes and farms into make-shift stockades or holding camps. Mooney relates,

⁵ Richter, Daniel K. “Whose Indian History?” *The William and Mary Quarterly* 50, no. 2 (1993): 379–93. <https://doi.org/10.2307/2947082>.

through his reports, that the Eastern Band or “the remnant which still clings to the woods and waters of the old home country” had eluded the initial round up of 1838 by escaping into the mountains.⁶ The fugitives joined a band of warriors at the head of the Oconaluftee River and held out despite extreme conditions of starvation and exposure. According to Mooney, the “work of running down these fugitives proved to be so difficult an undertaking” that when “Charley and his sons made their bold stroke for freedom, General Scott eagerly seized the incident as an opportunity for compromise.”⁷ Tsali and his family were a part of General Scott’s initial attempts at gathering the Cherokees for removal. During their first contact with Scott’s soldiers, Tsali’s wife, unnamed, was unable to maintain pace with the soldiers’ demands due to her advanced age. A soldier prodded her on with his bayonet and Tsali, angered by his wife’s mistreatment, attacked the soldiers with the help of his sons. The men “sprang upon the nearest [soldier] and endeavored to wrench his gun from him.” The attack “was so sudden and unexpected that one soldier was killed, and the rest fled,” Tsali and his family took the opportunity to escape to the mountains.⁸ Mooney claims that General Scott made a proposition to the Cherokees he knew were hiding in the mountains of North Carolina through “their most trusted friend” William H. Thomas. If the Cherokees surrendered Tsali and his sons for punishment, the other fugitives would be allowed to remain in their mountain home. When Tsali heard all of this, he “voluntarily came in with his sons, offering himself as a sacrifice for his people.” On Scott’s order, Tsali, his brother, and his

⁶ Mooney, *Historical Sketch of the Cherokee*.

⁷ Mooney, 160.

⁸ Mooney, 125.

sons were shot by Cherokees forced to do the shooting to “impress upon the Indians the fact of their utter helplessness.”⁹ According to Mooney, it was from these fugitive Cherokees protected by Tsali and his family’s sacrifice that the Eastern Band of the Cherokee Indians originated. This narrative, of the hero Tsali, has become a crucial part of a new Cherokee creation myth, the birth of the Eastern Band.

Mooney’s reports were organized and published in the 1970s and by the 1980s, historians studying the Cherokee and the Eastern Band began to question the validity of his claims surrounding Tsali. John R. Finger and Duane H. King attack Mooney’s version of events while Laurence French and Jim Hornbuckle offer an explanation for the alteration.¹⁰ In their 1981 book, *The Cherokee Perspective: Written by Eastern Cherokees*, French and Hornbuckle indicate that this narrative was important to the Eastern Band, hence its preservation despite it likely being factually inaccurate. This particular historical narrative still remains in debate in more recent historiography. As recently as 2007, Theda Perdue and Michael Green tell the story of Tsali in *The Cherokee Nation and the Trail of Tears*. Perdue and Green relate Mooney’s narrative with no mention of there being debate surrounding its validity. Meanwhile, Andrew Denson’s *Monuments to Absence* brings the argument to 2017. The author makes sure to note the questions surrounding the narrative while also nodding to the importance of such a story to a sense of identity among the Eastern Band.¹¹

⁹ Mooney, 125.

¹⁰ French, Laurence, and Jim Hornbuckle. *The Cherokee Perspective: Written by Eastern Cherokees*. Appalachian Consortium Press, 202 Appalachian St, 1981. <https://eric.ed.gov/?id=ED211242>.

¹¹ Andrew Denson. *Monuments to Absence: Cherokee Removal and the Contest Over Southern Memory*. Chapel Hill: The University of North Carolina Press, 2017.

John R. Finger claims to have written the first full length history of the Eastern Band of the Cherokee in 1984. Citing a misrepresentation of the amount of available archival materials for a sufficient history, Finger hoped that his book was a “significant step toward satisfying the long-standing need for a history of the Eastern Band.”¹² He argued that the Eastern Band emerged, not from a martyr’s sacrifice, but from a group known as the Qualla Town Indians, a branch of the Cherokee who had divorced themselves from the main body of Cherokees in pursuit of peace among their white neighbors in North Carolina. This small group of Cherokees had broken away from their fellows before the events which led to the Indian Removal Act had reached their fever pitch. The Qualla Town Cherokees, or the Oconaluftee (Lufty) as they were sometimes called, were led by a man named Yonaguska. The Lufty hired a white lawyer named William Holland Thomas to protect their interests with the local and state governments in the North Carolina region they called home. Finger’s narrative focuses heavily on the role Thomas played in the preservation of the Qualla Town Indians. Yonaguska relied on Thomas to represent the best interest of his people, to prove to their white neighbors that the Cherokees would be of no harm to them or their interests, to demonstrate that they were truly “civilized.” In the end, the Qualla Town Cherokees were allowed to continue as citizens of North Carolina. The land on which the Cherokee Indian Reservation now sits is called the Qualla Boundary and is divided by the Oconaluftee River. But were the

http://libproxy.clemson.edu/login?url=http://search.ebscohost.com/login.aspx?direct=true&db=e000xna&AN=1462770&cbv=EB&ppid=pp_Cover.

¹² John R. Finger, *Eastern Band Of Cherokees: 1819-1900* (Knoxville: University of Tennessee Press, 1984), xii.

Oconaluftee truly saved from the events of the Trail of Tears by the actions of their leader and their attorney, or were they shielded by the sacrifice of one of their own? Crucially, Finger presents a version of the story of the Cherokee martyr, Tsali, which challenges a foundational piece of the history of the Eastern Band as they have chosen to tell it, and of the *Unto These Hills* narrative arc. Finger points to Will Thomas's role as the Qualla Town Cherokee's legal representative and his connection to the chief Yonaguska as being solely responsible for the Eastern Band's formation. The third chapter will discuss in greater detail the narrative of the Cherokee martyr as the Eastern Band and *Unto These Hills* tell it. The central tragedy driving the outdoor drama is the events of the Trail of Tears, and the resolution to this conflict is the emergence of Tsali and his heroic acts in defense of his people and their North Carolina home. Finger tells a different version of the story, and he is not the only historian to dispute the details of these events.

Memory and Indigenous Identity

In a study of public memory sites, it is necessary to examine the creation of their historical narratives and the impacts associated with their creation and continued existence. In *Silencing the Past*, Michel-Rolph Trouillot examines the crafting of historical narratives and the silences which occur at every stage of the narrative making process. "Silencing" as a methodological or historiographical concept refers to the erasure of histories or aspects of histories which challenge the dominant national narratives of conquest and supremacy. Those involved in the crafting of historical narratives, like Kermit Hunter, playwright and author of *Unto These Hills*, and the other

playwrights associated with *Unto These Hills*, make decisions on whether to diverge from the national narratives and these decisions create silences in the overall narrative. In the case of the production, an admittedly fictional recreation of a tragic story, Trouillot's work points to the impact of these silences on the community they misrepresent and the truth that Americans' first interactions with history comes not in a classroom, but in sites and performances of public memory.

Andrew Denson takes this conversation about memory and applies it to the Cherokee and the public commemoration of the Trail of Tears. *Monuments to Absence: Cherokee Removal and the Contest over Southern Memory* examines the existing sites of public memory in a call for social justice as well as addresses the racist misrepresentation of Indigenous people as a people of the past. Denson's case studies include an analysis of *Unto These Hills* and its development. He continually reminds readers that the story of Cherokee removal has been crafted by white southerners as a narrative of disappearance that reinforces their own position as inevitably superior.

Memory and identity are closely intertwined concepts as one defines and is defined by the other. The question of what constitutes native identity and how it is constructed is a recurring theme in histories written about Indigenous groups, including the Cherokees. Most often, the question of identity is closely tied to perception. Robert F. Berkhofer argues in his book, *The White Man's Indian*, published in 1978, that Indigenous identity and the white perception of indigeneity have been at odds with one another since European contact. Indians are defined solely in terms of how they differ from whiteness and based on strict moral judgements based on descriptions of Indian life.

Kermit Hunter repeatedly reminds his audience of the differences between the Cherokee characters and their white counterparts. He depicts the idealized, white man's Indian in some characters, like Sequoyah, Junaluska, and Tsali while differentiating them from "bad Indians" like Tecumseh who insight violence instead of maintaining peace.

Brian W. Dippie's book *The Vanishing American: White Attitudes and U.S. Indian Policy*, published in 1982, examines how the white perception of indigeneity seen in popular myths and stereotypes has impacted U.S. Indian policy. The importance of Dippie's book to this thesis lies in its examination of the conquered ideology. After the War of 1812, when many tribes fought against the Americans, white perception of Indigenous peoples shifted to viewing them as a conquered, helpless people. The white man was not to blame for their destruction, the destruction of the Indian was simply making way for the "superior culture." This is best exemplified by Hunter's repeated absolution of white guilt by referencing the unstoppable tide of progress, the great wave of white America which pushed the Cherokee from their home.

More recently, historians have sought to define Indigenous identity in terms of how it is created and stripped away. For Native Americans, cultural identity, or their sense of "Indianness" is a source of tension with their non-Native counterparts. As Jean M. O'Brien argues in *Firsting and Lasting: Writing Indians out of Existence in New England*, the concept of authenticity regarding what she calls "Indianness" has been used by non-Indian Americans to contribute to the self-serving myth of the vanishing Indian. O'Brien highlights the ways non-Indians have imposed their definition of authenticity on Indigenous groups to justify their conquest of native lands, their disrespect for native

cultures and material histories, and their denial of modernity to Native Americans. By defining authenticity as being natural, savage, and truly “Indian,” non-Indians deliberately erase the possibility of native identity and modernity coexisting within the same body. A person who identifies with their native identity cannot be authentically native if they do not live up to a non-Indian perception of what it means to be native. In other words, for someone to be authentically native, by this definition, they must deny their modern existence, and for someone to be modern, they must deny their native existence.¹³ Most pertinent to this study, O’Brien demonstrates how narratives written about Indigenous history and culture serve best this function of denial of modernity. For the Cherokee, this denial of modernity has manifested in a dual reality.

Christina Taylor Beard-Moose in her dissertation, *Public Indians, Private Cherokees: Tourism and Tradition on Tribal Ground*, delves into the paradox of navigating non-Indian expectations of Cherokee identity with the personal reality of their private experiences as Cherokees. According to Beard-Moose, Cherokees of the twentieth and twenty-first centuries, particularly the Eastern Band, have learned to balance the performance of what non-Indians define as Indianness with the realities of Cherokee existence out of economic necessity. The economy of the Qualla Boundary has become heavily reliant on the tourist industry, and this places the Cherokees in a precarious position of performative identity. Nowhere is this more evident than in the performance of Cherokee history seen in the outdoor historical drama.

¹³ Jean M. O’Brien, *Firsting and Lasting: Writing Indians Out of Existence in New England* (Minneapolis: University of Minnesota Press, 2010).

Outdoor Historical Drama

The tourism industry on the Cherokee reservation began with an outdoor drama as its centerpiece, a literal performance of Cherokee culture, history, and tradition. This public display of history fits into a broader phenomenon occurring across the country. American historical pageantry began to teach the average American citizen the stories of their patriotic origins. In *American Historical Pageantry*, David Glassberg considers historical pageantry in terms of the various uses of tradition: “as patriotic and moral education, as popular entertainment. . . as a tool to reform Americans' use of leisure. . . as a way to define American folk identity, and, finally, as a retreat from the consequences of modern industrialism.”¹⁴ Born out of a similar tradition in Europe and the United Kingdom, historical pageantry began in America as historical orations connected to the commemorations of the Centennial in 1876. This sparked a fascination with local history and local connections to larger historical events, like the Revolutionary War. By the 1920s, the fascination with historical pageantry had manifested itself into outdoor dramas. The dramas, while different from the pageants in their permanence, maintained their historical air. While the pageants were a series of scenes, they lacked a sense of plot or overarching narrative driving the action on the stage. The dramas took on a similar narrative pattern as normal plays, but instead of Shakespeare’s fiction, audiences were met with what they were told was an accurate retelling of historical events, complete with

¹⁴ David Glassberg, *American Historical Pageantry: The Uses of Tradition in the Early Twentieth Century* (Chapel Hill: University of North Carolina Press, 1990), 5.

historic characters and costumes against the natural scenery against which the original events took place.¹⁵

Another important difference between these dramas and their pageant predecessors was in the people which comprised the cast. Historical pageants were special in that when they were performed, the local citizens of the surrounding area organized and performed the pageants; they belonged to the same people for whom they were performed. The outdoor dramas were often produced under an organizing company, a theatrical or tourism organization that wrote, produced, and performed the dramas for visiting audiences. This means that, for productions like *Unto These Hills* and *Under the Cherokee Moon* in which the main characters were Native Americans, the organizing company, playwright, costume designers, and actors were all likely to be non-Indian individuals. Heidi L. Nees and Philip J. Deloria have written on this circumstance: the influence of non-Indian thought on the portrayal of Indigenous histories and the apparent fascination non-Indians have had with “playing Indian.”¹⁶

The intersection between outdoor historical drama and Indigenous studies is a trending historiographical topic, with recently published dissertations, articles, and books. Matthew D. Thompson published his dissertation “Staging ‘the Drama’” in 2009 and Heidi L. Nees published her dissertation “‘Indian Summers’” in December of 2012, both discussing cultural tourism. Nees’ dissertation and Katrina Phillips’ book, *Staging*

¹⁵ Glassberg, *American Historical Pageantry*.

¹⁶ Philip Joseph Deloria, *Playing Indian*, Yale Historical Publications (New Haven: Yale University Press, 1998). Heidi L. Nees. “‘Indian’ Summers: Querying Representations of Native American Cultures in Outdoor Historical Drama.” Bowling Green State University, 2012.

Indigeneity: Salvage Tourism and the Performance of Native American History, include detailed discussions of *Unto These Hills* and the performance of indigeneity. This thesis builds off the work of Phillips and Nees as they address different points of the evolution of the production. Phillips' argument positions the questions of identity, authenticity, and the use of Indigenous people and culture in entertainment and economic development within the context of several outdoor historical dramas. This thesis examines the creation and evolution of one drama and its protagonist to answer questions about Cherokee identity, sovereignty, and authority.

The Chapters

The first chapter discusses the inspiration and historical context behind the creation of the outdoor historical drama, *Unto These Hills*. The chapter then surveys the evolution of the script throughout its more than seventy-year history, and its seven different script changes since the year 2006. This chapter frames one of the crucial questions for the remainder of the thesis, why would the Eastern Band, after having gained control of the production in the early 2000s, choose to return to a script which manipulates and misrepresents their history and culture?

The second chapter analyzes that original script, contextualizing Hunter's narrative decisions and the careful process of absolution. Throughout his version of the script, Hunter absolves the guilt of his majority white audiences by playing into some of the very concepts outlined in Berkhofer and Dippie regarding white perceptions of Indians. Importantly, this chapter also references the modern version of the Kermit Hunter script which has been performed at the mountainside theater since 2017. The

modern script alters the overtly racist and patronizing language found in the original, it also removes the third-person perspective from which many of the Indigenous characters spoke, and shifts the production ideologically in a major, but subtle way.

The third and final chapter examines the historical record regarding the Cherokee martyr and protagonist of *Unto These Hills*, Tsali. The chapter acknowledges and discusses the competing and sometimes contradictory versions of the narrative which remain influential on the public history connected to the Eastern Band of the Cherokee Indian. The Tsali narrative, despite its complications and questions, acts as a creation story for the Eastern Band and therefore holds its own definition of truth and value for the community.

The Argument

The history told in *Unto These Hills* is the tragedy of Removal originally used to further a narrative of Indian disappearance and the absolution of white guilt. Today, the production continues to use the frame of the original script, what was once a tool of their oppression, to define their history as only they have the authority to do. Previously, historians have argued the decision to return to the Kermit Hunter script in 2017 was a purely economic decision influenced by the downward trajectory of audience size and revenue. But I contend that decision was based instead on the desire to reclaim a familiar narrative for a modern purpose. The Cherokee have reclaimed Kermit Hunter's *Unto These Hills*, reclaimed the heroic figure of Tsali, and reclaimed the agency which was stripped from them in the creation of the original production. To say their decision was purely economic, purely trapped by the necessities of tourism, would be to deny the

agency they have exerted in that choice. The question of authenticity and historical accuracy is defined by the people represented by the display of public memory, and though the story may be littered with questions and curiosities, it is the Cherokee story to tell.

CHAPTER ONE

ORIGIN AND EVOLUTION OF *UNTO THESE HILLS* BY KERMIT HUNTER

Unto These Hills is an outdoor historical drama located in western North Carolina. Opened in 1950, the show depicts various events in Cherokee history post-contact with Europeans, and although the show's historical accuracy has been questioned by many, it remains an influential piece of public history located on the Cherokee Reservation today. The drama was created as a result of the establishment of a tourism economy by white businessmen in Western North Carolina seeking to capitalize on American fascination with Indigenous cultures and the performance of native history spurred by a new trend of outdoor historical dramas.

The concept for *Unto These Hills* began when Western North Carolina businessmen started looking for economic development opportunities. In the years following World War II, community leaders looked for more ways to expand the tourism industry around their region. To accomplish this expansion, they formed two organizations called Western North Carolina Associated Communities (WNCAC) and Western North Carolina Community Development Association (WNCCDA), in 1947 and 1949 respectively. The WNCAC was the organization responsible for producing *Unto These Hills*. The WNCAC would later give way to the Cherokee Historical Association

(CHA) which is the organization responsible for the production of the drama today, and therefore the changes to the script which have been made since 2006.¹⁷

The history of the group, as written on their website, indicates that “independence and self-sufficiency became a hallmark of the region made of diverse ethnic heritage,” the majority of whom were Americans of European descent who remained segregated from the African American and Cherokee Indian populations. Among the long list of services provided by the organizations, “preservation of history” ranks among the top.¹⁸ The leaders of the region, who would become the founding members of the WNCAC and the CHA, had long since identified the Cherokee’s unique cultural history as a potential asset to the growth of the tourism industry in the area. The group undertook massive efforts across Western North Carolina to advocate for businesses surrounding tourism, and the developments in the Qualla Boundary, another name for the Cherokee Reservation, were a part of the larger plan.

In the late 1940s, the WNCAC called on the state of North Carolina to help fund a host of tourism projects, and the state appropriated significant funds for *Unto These Hills*. By the time the drama debuted, North Carolina had seen tremendous returns on their investments in tourism across the state, spending some “\$200,000 a year on an

¹⁷ Matthew D. Thompson, “Staging ‘the Drama’: The Continuing Importance of Cultural Tourism in the Gaming Era” (Chapel Hill, North Carolina, University of North Carolina at Chapel Hill, 2009).

¹⁸ “History of WNC Communities – WNC Communities,” 2021, <https://wnccommunities.org/index.php/history-of-wnc-communities/>, <https://wnccommunities.org/index.php/history-of-wnc-communities/> “History of WNC Communities – WNC Communities.”

advertising program [sic],” while “tourists and vacationers spent nearly \$200,000,000.”¹⁹ Tourism was considered a sound business investment and the members of the WNCAC were poised to profit greatly. The majority white members of the WNCAC were “privileged and powerful men ” who wielded their political influence in local, state, and national governments to bring in the economic benefits of tourism to their region.²⁰ Their efforts in the Qualla Boundary brought about a booming tourism industry focused on the performance of Cherokee cultural heritage. The development of historical tourism in the region was funded by the WNCAC. The organization “ruled over” tourism in Western North Carolina with an iron fist and controlled the messaging and narrative surrounding all aspects of tourism, especially history.²¹ Whether termed preservation of history or protection of heritage, the power of the WNCAC directly influenced the public understanding of not only Cherokee history, but of the Cherokee as a people.

As Andrew Denson outlines in *Monuments to Absence*, when tourism first emerged in the Qualla Boundary in the 1920s and 1930s, tourism boosters sought to turn Cherokee history into capital and the WNCAC built on these efforts. The attention paid to Cherokee history by white community leaders and white tourists altered the way Cherokee stories were told and therefore influenced public memory surrounding some of the most important moments in Cherokee history. By amplifying the story of removal in tourist attractions, the Trail of Tears became a “more pronounced element of the region’s

¹⁹ “03 Feb 1950, Page 4 - Statesville Daily Record at Newspapers.Com,” accessed April 9, 2020, <https://www.newspapers.com/image/11234263/?terms=%22Unto%2BThese%2BHills%22>.

²⁰ Thompson, 35.

²¹ Thompson, 36.

public historical identity.”²² This dramatic and tragic story matched well with the drama of the imposing Appalachian mountains and inspired the WNCAC and CHA to construct the outdoor amphitheater which the production calls home. The play was written during an important moment in the history of the Eastern Band and the United States, a period marked by what was called the Termination Debate.

The Termination Debate was the “federal government’s campaign to remove tribal lands from federal trust” and bring an end to the “distinct status of Indian nations within the United States.”²³ While the Eastern Band of the Cherokee were not one of the groups directly targeted by the policy, Denson asserts that Cherokee leaders worried if the policy were to be put in place the Cherokee community would suffer. Understanding this context conflicts with the WNCAC’s choice to produce *Unto These Hills*, since many historians who have examined the production argue that its original script was written in praise of the Cherokees’ assimilation into white America. This praise was not a new phenomenon; the Cherokee had long been believed to represent a minority that could successfully emulate white America. In *The Cherokee Nation and the Trail of Tears*, Theda Perdue argues that one of the many reasons removal is so often focused on the Cherokee experience is the “debate over removal policy that occurred in the press, various public settings, and Congress focused on the Cherokees.” Most importantly, however, she indicates the reason so many white Americans were willing to fight against

²² Andrew Denson, *Monuments to Absence: Cherokee Removal and the Contest over Southern Memory* (Chapel Hill: University of North Carolina Press, 2017), 7.

²³ Andrew Denson, *Monuments to Absence*, 135.

removal on behalf of the Cherokee was how they "demonstrated that Indians could change and that someday they could be integrated into American society."²⁴ Perdue notes that a contributing factor to this perception has to do with the Cherokee leaders during the removal crisis. They were "uniquely well-educated and extraordinarily articulate," and she considers them to have been "masters of public relations." If they could not prevent removal from happening, they made every attempt to ensure "no one could forget them."²⁵ This level of autonomy, however, was not reflected in the WNCAC's planning of an outdoor drama which would follow the Cherokee story.

The inspiration for the drama itself came from a variety of sources, including a historical pageant the Cherokee put on for their people in 1935 and again for tourists in 1937. The pageant, called "The Spirit of the Great Smokies" displayed a small portion of Cherokee history. At the same time, a playwright named Paul Green published an outdoor drama called *The Lost Colony*, based on the founding, and supposed disappearance, of the Roanoke Island Colony. Produced by the Roanoke Island Historical Society in Manteo, North Carolina to commemorate the 350 year anniversary of Roanoke Island's colonization, *The Lost Colony* was first staged in 1937 and is still performed for audiences today, eighty-five years later.²⁶ Called a pageant-drama, before the term

²⁴ Theda Perdue and Michael Green, *The Cherokee Nation and the Trail of Tears* (New York: Viking, 2007), http://libproxy.clemson.edu/login?url=http://search.ebscohost.com/login.aspx?direct=true&db=nlebk&AN=1127399&ebv=EK&ppid=Page-__-10, XIV.

²⁵ Perdue and Green, XV.

²⁶ Paul Green, *The Lost Colony: An Outdoor Play in Two Acts (with Music, Pantomime and Dance)* (Chapel Hill: The University of North Carolina press, 1937).

outdoor historical drama had been coined, many were skeptical that a production of this nature could be successful.²⁷ Praised for its stirring script and musical accompaniment, the production was well loved by audiences who were moved by its patriotism and “spiritual values.”²⁸

The success of this outdoor drama and of the Cherokee pageant encouraged the WNCAC to create an outdoor drama of their own.²⁹ The WNCAC contacted Paul Green only to find he was unavailable, so they turned to his colleagues in the Carolina Playmakers. The Playmakers were a student organization at the University of North Carolina started by Frederick Koch in the early 1920s to write and perform one act plays based on North Carolina life and people.³⁰ Paul Green was one of Koch’s students and he would remain connected to the Carolina Playmakers, casting the students in his productions. Among the Playmakers in 1947 was Kermit Hunter, a graduate student at the time, who signed on to write the first *Unto These Hills* script. The then director of the Playmakers, Samuel Selden, would accompany Hunter to the Qualla Boundary to choose a suitable place for the construction of the mountainside theater and to gather inspiration for the script.³¹ Notably, Hunter and Selden met with the white members of the WNCAC

²⁷ G.E. Dean, “Island Pageant Features Rare Musical Background: Majestic Accompaniments Considerably Enhance Drama of Lost Colony,” *The News and Observer*, July 18, 1937, Newspapers.com, <https://www.newspapers.com/image/651447206/?terms=The%20Lost%20Colony&match=1>.

²⁸ Bernice Harris, “Seeing ‘The Lost Colony,’” *The News and Observer*, August 18, 1937, Newspapers.com.

²⁹ Denson, 140.

³⁰ Glassberg, David. *American Historical Pageantry: The Uses of Tradition in the Early Twentieth Century*. Chapel Hill: University of North Carolina Press, 1990, 245.

³¹ Denson, 140.

and not members of the tribe about which the drama would be written.³² Inspired by a recent fascination with a so-called Cherokee martyr named Tsali, the WNCAC chose to center their drama on a tragic narrative of sacrifice against the unstoppable tide of white progress.

To oversee the management of the drama and other Cherokee tourism projects, the WNCAC decided to form the Cherokee Historical Association, another white-dominated organization. Throughout the development of the drama, the writing of the script, the selection of the land on which the amphitheater would be built, even the designing of costumes and the casting of characters, the Eastern Band was a “necessary partner. . . but it was not the guiding hand.”³³ The lack of a Cherokee voice in the process encouraged the representation of the Cherokees in the script to fit white expectations, and not historical or cultural reality. Chapter Two will analyze the original script by Kermit Hunter in its entirety, contextualizing each scene, and exploring the motivation behind Hunter’s narrative decisions. At the core of each dramatic choice, lies a desire to assuage white guilt and meet audience expectations.

For playwrights of the mid-twentieth century, particularly those involved in the production of historical pageantry which was experiencing a renaissance in the period, historical accuracy was less important than audience retention and dramatic integrity.³⁴

³² Simpson, George Lee, Harriet L. Herring, and Maurice B. Morrill. 1956. *Western North Carolina Associated Communities*. Cherokee, N.C: Cherokee Historical Association, 26.

³³ *Western North Carolina Associated Communities*, 141.

³⁴ David Glassberg, *American Historical Pageantry: The Uses of Tradition in the Early Twentieth Century* (Chapel Hill: University of North Carolina Press, 1990).

The details of an accurate historical retelling were referred to as “small facts” which overburden and complicate a narrative, making it less palatable to audiences and less cohesive dramatically.³⁵ To escape the “tyranny of authenticity,” playwrights were instructed to embellish, adjust, and even invent historical narratives to fit their dramatic design.³⁶ Hunter, who would go on to write more than forty historical dramas in his lifetime, determined that while some in the viewing public may clamor for accuracy, most are only concerned with “being entertained.” Very few audiences “seem to care whether they see actual history or the playwright’s version of history in all its selective concentration and its directing of focus. But ‘history’ critics feel otherwise.”³⁷

The paternalistic role of the playwright, in Hunter’s mind, was to guide audiences to a carefully crafted version of history which the playwright curates himself. Critique arises from audiences who claim to seek authenticity but fail to recognize that “strict historical accuracy” interferes with the artistic process. Months of research can go into creating historically accurate costumes, set pieces, and musical accompaniment, but the expectations of audiences must always be met. According to Hunter, audiences anticipate

³⁵ Christian H. Moe, Scott J. Parker, and George McCalmon, *Creating Historical Drama*, 1st Edition (SIU Press, 1965).

³⁶ Christian H. Moe, Scott J. Parker, and George McCalmon; Gregory D. Smithers, “A Cherokee Epic: Kermit Hunter’s *Unto These Hills* and the Mythologizing of Cherokee History,” *Native South* 8 (2015): 1–30, <https://doi.org/10.1353/nso.2015.0000>.

³⁷ Kermit Hunter, “History or Drama?,” *South Atlantic Bulletin* 19, no. 1 (1953): 3–4, <https://doi.org/10.2307/3197940>, 3.

color and vibrance beyond what the historical record allows. Since “most scenes from American history lack sartorial color,” it is necessary to add brilliance to meet audience expectations. That brilliance requires playwrights to paint in broad strokes, both narratively and literally:

The shingles on the roofs of stage buildings must be painted to look like shingles, actual Cherokee Indians must be painted to resemble Indians more closely, and real pumpkins, apples, and gourds must be discarded in favor of cardboard models painted to resemble pumpkins, apples, and gourds. All along the line the theater outdoors must fool the audience with the appearance of reality--in order to achieve realism.³⁸

The goal of these productions, therefore, is not historical truth, but rather verisimilitude, a point which Hunter belabors in his defense of his narrative choices. The appearance of truth outweighs the necessity of actual truth when satisfying audience expectation. To say that Cherokee actors would need to be “painted” to appear more in line with audience expectations of what “Indians” should look like, indicates that the goal of an outdoor historical drama was audience entertainment and retention. An audience who witnessed a flashy, emotionally moving production that met all expectations and did

³⁸ Hunter, “History or Drama?” 3.

not challenge their perception of reality but assuaged them of any guilt, is an audience that will return and tell others to attend. Defining realism and authenticity in terms of the white American gaze was not a new phenomenon. According to Berkhofer, these conceptions of “authenticity” are in keeping with the othering of minority groups practiced by the white majority. Maintaining realism as defined by the white gaze confines Native Americans to be “the Indians Whites said they were regardless of their original social and cultural diversity.”³⁹ Hunter’s insistence that accuracy is the necessary sacrifice for audience expectation of realism redefined and confined the Cherokee in terms of his misrepresentation. The vibrancy of Cherokee culture has been traded for the expectation of a universal Indian appearance in keeping with the contemporary wave of “White fancy.”⁴⁰

Hunter places his voice and the economic interests of the white tourism promoters above all, rather than honoring the culture represented by the narrative by allowing their unaltered history, their authentic vibrancy, and their unpainted people to be the centerpiece. He justifies all of this in the name of his art and poetic license, but the ramifications of his narrative choices still have bearing on the public memory connected to the Eastern Band today. As Trouillot wrote, “long before average citizens read the

³⁹ Robert F. Berkhofer, *The White Man’s Indian: Images of the American Indian from Columbus to the Present*, 1st Vintage Books ed edition (Vintage, 1978), 314.

⁴⁰ Berkhofer, 314.

historians who set the standards of the day,” their first exposure to history is “through celebrations, site and museum, movies, national holidays, and primary school books.”⁴¹ Though historical accuracy is owed to the community represented by the production, it is obvious that accuracy and audience retention do not always coexist. There is no guarantee what will resonate with audiences, what audiences will retain when they leave the theater. Given the for-profit nature of all tourism ventures, building, and maintaining an audience often means dramatic appeal must take precedence over narrative quality and historical accuracy.⁴²

The white audience’s expectation of dramatic appeal meant sacrificing historical reality. Nowhere is this fact more evident than in Hunter’s tragic protagonist, Tsali. Known as “Charley ” to white individuals of his day, Tsali has become a legendary figure in the Eastern Band’s story of resistance to removal and his story is largely considered a “creation myth” for the Eastern Band. A book chapter, turned widely published article, first found in *Hear Me, My Chiefs* by Herbert Ravenel Sass, inspired a public commemoration movement in western North Carolina and eastern Tennessee in the late 1930s. The chapter centered on the Tsali tragedy, and the pity generated by such a story

⁴¹ Michel-Rolph Trouillot, *Silencing the Past: Power and the Production of History*, Fulcrum.Org (Beacon Press, 1995), 20.

⁴² Joshua Casmir Catalano. “The Settler-Colonial Memory of the Gnadenhutzen Massacre and the Burning of William Crawford.” Dissertation, George Mason University, 2019, 472-483.

became a drawing point for tourism promoters. The WNCAC chose the Tsali narrative as the centerpiece of their production and Kermit Hunter's version of the story has become the most prominent and recognizable retelling. The Tsali narrative, both historically and popularly, has many different sides and interpretations which hold a different value and meaning for all who told it and continue telling it today. The most popular and influential of these narratives was one collected by an American ethnologist named James Mooney, whom Hunter cites as one of his sources for his own tragedy. The story of the martyr Tsali provided a moving narrative, and the popularity of the production has shaped the way Americans recall Cherokee history, and perhaps even the way the Cherokee themselves have come to interact with their past. Chapter Three analyzes the historical record related to Tsali to present all versions of the Tsali story which remain and the impact of the prevailing narratives.

The Evolution of the Show

Tragedy and drama were what attendees at the time expected from the play, and the fictional narrative of Tsali's sacrifice offered that. Newspapers from the months after its premiere heralded the drama for its powerful and moving portrayal of this "colorful Western North Carolina tribe."⁴³ The underlying theme of the drama was one of the

⁴³ "8 Feb 1950, Page 5 - The Robesonian at Newspapers.Com," Newspapers.Com, accessed April 9, 2020, <http://www.newspapers.com/image/42006711/?terms=%22Unto%2BThese%2BHills%22>.

Cherokee “fortitude and faith” and adds “action to the grandeur of the Great Smoky scene.”⁴⁴ One attendee to the drama in its first seasons said it “gave him new insight into the struggles of the Cherokees. ‘It looked like the Cherokees always did what was right, but you couldn’t say as much for the white man.’”⁴⁵ The audiences were unaware, however, the version of Cherokee history they saw performed on the stage before them was not the truth as it claimed to be. Hunter’s portrayal of the Cherokee people was one of helpless innocence corrupted by greed and violence. The version of Cherokee existence which one audience member took away from the drama depicted the Cherokees as “simple but not so stupid Indians” who were manipulated by a cruel Spaniard named de Soto. Once they escaped de Soto, they were met with a new “wave of invaders—the early American pioneers.”⁴⁶ They also formed interpretations of later periods of history from the drama:

With some the Redmen got along fine—adopted their ways and domestic animals, teaching in return their own forest lore to the friendly white people. The

⁴⁴ “20 Aug 1951, 8 - Chattanooga Daily Times at Newspapers.Com,” Newspapers.Com, accessed April 9, 2020, <http://www.newspapers.com/image/604977292/?terms=Unto%2BThese%2BHills>.

⁴⁵ “28 Jul 1950, 12 - Rocky Mount Telegram at Newspapers.Com,” Newspapers.Com, accessed April 13, 2020, <http://www.newspapers.com/image/375537494/?terms=%22Cherokee%2BPhoenix%22%3B%2B%22Unto%2BThese%2BHills%22>.

⁴⁶ “5 Jun 1966, 88 - The Charlotte Observer at Newspapers.Com,” Newspapers.Com, accessed April 13, 2020, <http://www.newspapers.com/image/621133010/?terms=%22Cherokee%2BPhoenix%22%3B%2B%22Unto%2BThese%2BHills%22>.

Cherokees prospered materially and advanced in culture. Their great chief, Sequoyah, invented the 86-letter Cherokee alphabet, so logical that every squaw or brave on the hunting trail could learn to write and read their own language.⁴⁷

Kermit Hunter's *Unto These Hills* encouraged audiences to discuss the Cherokee as having very little agency in their lives after contact. Audiences left the drama with a very patronizing view of Cherokee history and the Cherokee people. Despite some members of the community's complaints, the original script remained largely the same for over fifty years until the Cherokee Historical Society made the decision that it was time for a change.

⁴⁷ "5 Jun 1966, 88 - The Charlotte Observer at Newspapers.Com," Newspapers.Com.

The production experienced an ebb and flow in success that matched with what Philip Deloria calls the cyclical nature of American fascination with indigeneity.

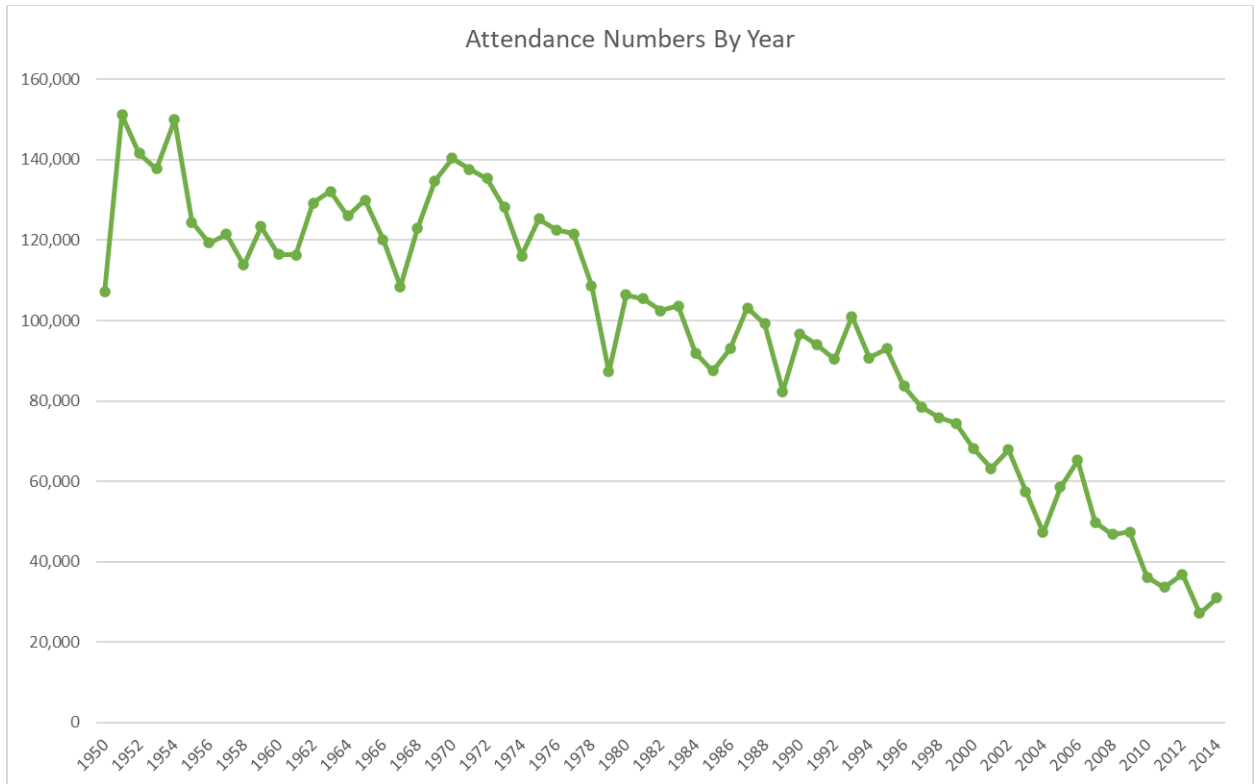


Figure 1: A graph following the attendance rates from 1950-2014.⁴⁸

Both the cyclical nature of American attention and the influence of white conceptions of “Indianness” have directly impacted the attendance rates and measurable success of the production. For the first twenty years, the attendance reports indicate that while they never experienced the popularity of the first few years again, they maintained an attendance average of 126,789.⁴⁹ The beginning of the decline in attendance rates came in 1977 when attendance dropped to 108,655.⁵⁰ The production would not record attendance

⁴⁸ Figure 1: Graph created by author; data drawn from reports delivered to the Institute of Outdoor Drama.

⁴⁹ Based on data gathered for the Institute of Outdoor Drama.

⁵⁰ “1978 Outdoor Drama Attendance,” *Institute of Outdoor Drama*, 1978.

rates at this level again. The downturn reflected in the production's attendance in the sixties and seventies may be attributed to the broader political context of the period. In the 60s and 70s, the Red Power Movement advocated for the rights of Native Americans to control their own land and resources through civil disobedience and confrontation. Notable events like the Occupation of Alcatraz in 1969, The Trail of Broken Treaties in 1972, and the Wounded Knee Incident in 1973, all contributed to a reframing of the image of the white man's Indian in the American psyche. The start of the production's decline in this period, could certainly be connected to this reframing as it is a significant departure from the "noble savage" angle seen in Hunter's day.⁵¹

Attendance would continue to decline for the next thirty years and reach the production's lowest recorded attendance in 2004 at 47,344, the Cherokee Historical Association turned to the tribe for financial support and control of the board changed hands.⁵² At the end of the 2005 season, all non-Indian members of the production, staff, administration, actors, and crew, were all fired "*en-masse*."⁵³ This decision coincides with a broader movement towards the repatriation of Native American artifacts and skeletal remains which was occurring nationally as well as with the opening of the National Museum of the American Indian in 2004. The concept of shared authority and

⁵¹ For further reading, see Vine Deloria, Jr.'s *Custer Died for Your Sins*.

⁵² Heidi L. Nees. "'Indian' Summers: Querying Representations of Native American Cultures in Outdoor Historical Drama." Bowling Green State University, 2012, 75.; "2004 Outdoor Drama Attendance Final Report," Institute of *Outdoor Drama*, November 12th, 2004.

⁵³ Thompson, 102.

repatriation stand at the core of these trends. Importantly, other outdoor historical dramas which narratively centered around an Indigenous community had begun this shift in the early 2000s as well. These changes occurred more readily when the represented community lived in close proximity to the production, as was the case with *Unto These Hills* and *Under the Cherokee Moon*.⁵⁴ A member of the Eastern Band of the Cherokee, Bo Taylor, indicated he felt the original *Unto These Hills* script “just didn’t reflect the Cherokee way. . .A lot of the tourists really enjoyed it, because it was dramatic. . .But I don’t believe it portrayed us as accurately as it could. I felt like my people looked foolish.”⁵⁵ The Kermit Hunter script had never represented a true Cherokee experience and was symptomatic of the division between the performative existence of the Cherokee and the private reality. The sense of community surrounding the drama had begun to fade as new generations of Cherokees recognized the lack of true representation in the drama meant to tell their story.

The locals’ disapproval was coupled with a sharp downturn in attendance numbers. The production’s attendance rates had been on a steady decline since 1995 and experienced a dramatic drop in the early 2000s. In reports collected from outdoor dramas by the Institute of Outdoor Drama about a variety of topics related to the financial

⁵⁴ Nees, 18.

⁵⁵ Thompson, 102.

wellbeing and audience satisfaction regarding the productions, *Unto These Hills* reported a record low attendance rate of 47,344. After the EBCI gained control of the board for the 2005 season, ticket sales improved, and the decision was made to write an entirely new production.

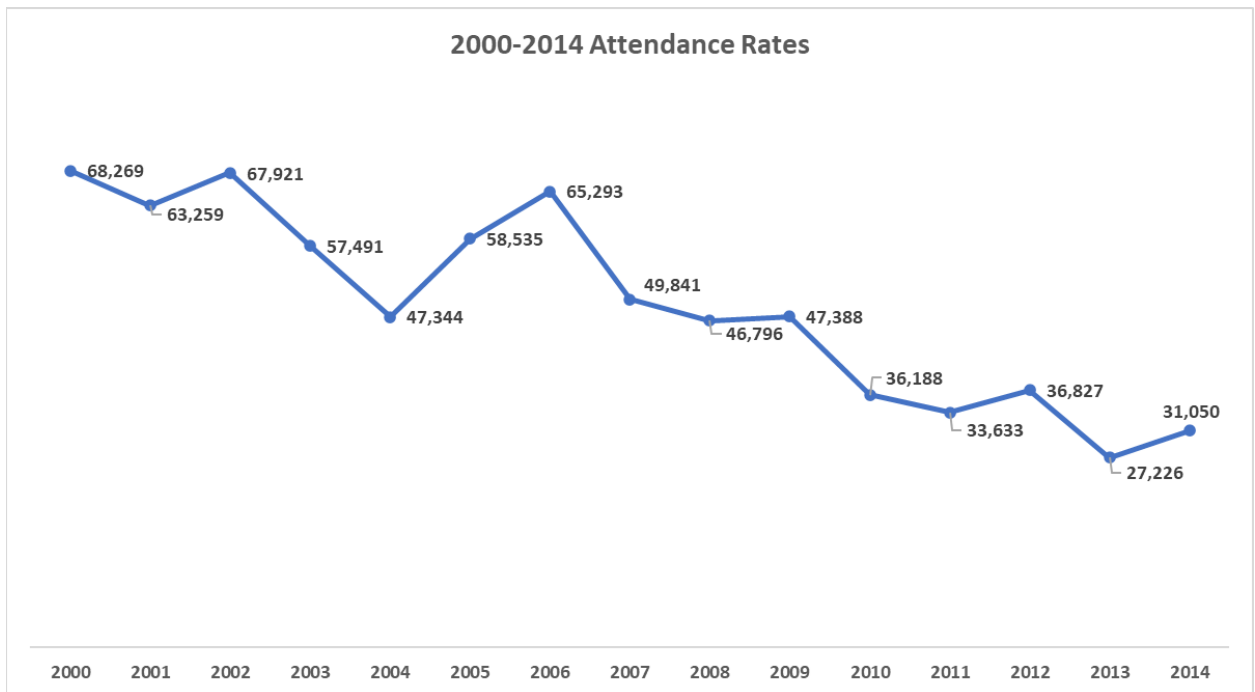


Figure 1: Tracking Attendance Rates of *Unto These Hills* from the year 2000 to 2014.⁵⁶

⁵⁶ Graph created by author; data drawn from reports delivered to the Institute of Outdoor Drama. “2000 Attendance,” *Institute of Outdoor Drama*, November 6, 2000.; “‘01 Attendance,” *Institute of Outdoor Drama*, November 20th, 2001.; “‘02 NC Attendance,” *Institute of Outdoor Drama*, November 5th, 2002.; “‘03 NC Attendance,” *Institute of Outdoor Drama*, February 5th, 2004.”2004 Outdoor Drama Attendance Final Report,” *Institute of Outdoor Drama*, November 12th, 2004.; “Final Report: 2005 Outdoor Drama Attendance,” *Institute of Outdoor Drama*, November 11th, 2005.; “Final Report: 2006 Outdoor Drama Attendance,” *Institute of Outdoor Drama*, November 13th, 2006.; “Final Report: 2007 Outdoor Drama Attendance,” *Institute of Outdoor Drama*, December 3rd, 2007.; “Final Report: 2008 Outdoor Drama Attendance,” *Institute of Outdoor Drama*, December 10th, 2008.; “Final Report: 2009 Outdoor Drama Attendance,” *Institute of Outdoor Drama*, December 14th, 2009.; “Final Report-2010 Outdoor Drama Attendance,” *Institute of Outdoor Drama*, December 8th 2010.; “Final Report-2011 Outdoor Drama Attendance,” *Institute of Outdoor Drama*, December 6th, 2011.; “Final Report-2012 Outdoor Drama

This drop in attendance in the early 2000s weighed heavily on the mind of one proponent of some of the first changes to the script. James Bradley, a former cast member in *Unto These Hills*, remarked that not only had "50 percent of our audience" been lost but the "attention to detail in the show and just the little things that made the show special seemed to be gone." Bradley explained that while the show was successful in the first thirty years of its performance, its popularity began to decline among locals when the tribe "started to compare it with Cherokee history." He went on to say the perception of the drama reached "the point where local people stopped going, they stopped referring people to the show, they stopped bringing their friends to the show. . . They sort of got ashamed of it."⁵⁷ The 2006 version was meant to address the historical inaccuracies which had driven so many Cherokees away from the show they used to claim as their own.

The following summer saw the premiere of Native American playwright Hanay Geiogamah's brand new script for the drama. His script was not only vastly different from the Hunter version, but it was a drastic change from the overall structure of the play that had become so familiar. Geiogamah's version of the show followed a similar basic

Attendance," *Institute of Outdoor Drama*, December 7th, 2012.; "Final Report-2013 Outdoor Drama Attendance," *Institute of Outdoor Drama*, December 6th, 2013.; "Final Report-2014 Outdoor Drama Attendance," *Institute of Outdoor Drama*, December 3rd, 2014.

⁵⁷ "9 Jul 2006, 72 - The Charlotte Observer at Newspapers.Com," Newspapers.Com, accessed April 17, 2020, <http://www.newspapers.com/image/631665048/?terms=Unto%2BThese%2BHills>.

outline in a “less linear fashion,” but introduced two “mythical Cherokee figures” to survey the century of Cherokee history before contact with Hernando de Soto in 1530. Selu, The Corn Mother, and Kanati, The Great Hunter acted as narrators for the pre-contact Cherokee past. Additionally, rather than ending the narrative with the sacrifice of Tsali and the promise of happiness in a patriotic America, Geiogamah’s version included an entire second act focused solely on the survival and continued existence of the Eastern Band of the Cherokee. A change in the casting meant that for the first time in the drama’s history, the majority of cast members were Cherokee.⁵⁸ In June of 2006, *The Asheville Citizen-Times* published an article about the new version of the script. It quoted Geiogamah saying his efforts were done to return the drama to the community,

“We are trying to make it a Cherokee piece. One of the things that intrigued me about this was the Cherokee always thought of it as ‘our drama’ even when they were shut out (from the show), when they weren’t cast in it or only in the crowd scenes. It was still ‘our drama.’”⁵⁹

Not everyone was pleased with the changes Geiogamah and the new CHA had wrought on the “beloved” drama. In an article in *The Times-Tribune*, Jimmy Hamilton of Kentucky was “deeply moved by the original version,” but after watching a performance

⁵⁸ “9 Jul 2006, 72 - The Charlotte Observer at Newspapers.Com.”

⁵⁹ “8 Jun 2006, Page 25 - Asheville Citizen-Times at Newspapers.Com,” Newspapers.Com, accessed April 17, 2020, <http://www.newspapers.com/image/197992957/?terms=Unto%2BThese%2BHills>.

of the new script said he “prefers the old version.” Hamilton said, while the Kermit Hunter version “may not have been accurate. . .it was effective.”⁶⁰ A lecturer on Cherokee heritage also involved in the production addressed the concerns some had begun voicing since the premiere saying, while the old show was “dramatic and exciting,” the revision offers “a truer depiction” of the tribe.⁶¹ Jimmy Hamilton was not the only voice of dissent for the new version of the drama. The changes Geiogamah brought were not just to the content of the drama itself, but also to the linear structure of the show. He introduced dance numbers and relied heavily on Indigenous storytelling traditions which would have been unfamiliar to the majority white audiences. These changes earned “mixed reactions,” according to the CHA executive director, John Tissue. Tissue remarked that, the “idea in 2005 was to fix the Kermit (Hunter) script in a way,” so it could be “brought into modern sensibilities.”⁶² The playwright and the new Board of the CHA “got runaway with an all new cast crew and director, and it didn’t end up any way anybody wanted.”⁶³ After receiving negative feedback from audiences, despite attendance totaling 65,239, the CHA Board chose to alter the script once again.⁶⁴

⁶⁰ “30 Jul 2006, G4 - The Times-Tribune at Newspapers.Com,” Newspapers.Com, accessed April 17, 2020, <http://www.newspapers.com/image/518809933/?terms=Unto%2BThese%2BHills>.

⁶¹ “30 Jul 2006, G4 - The Times-Tribune at Newspapers.Com.”

⁶² Scott McKie B.P., “Going Old School: ‘Unto These Hills’ Going Back to Original Script for 2017,” The Cherokee One Feather, January 12, 2017, Cherokee One Feather Digital Archive.

⁶³ Scott McKie B.P., “Going Old School: ‘Unto These Hills’ Going Back to Original Script for 2017.”

⁶⁴ See Figure 1

In 2007, another team of playwrights was brought in to modify the 2006 Geiogamah version. The CHA hired Pat Allee and Ben Hurst who had worked in television in Los Angeles before writing most of the exhibits in the Museum of the Cherokee Indian on the Qualla Boundary. They titled the new script *Unto These Hills*. . . *A Retelling* and attempted to bring back certain aspects of original drama which were appreciated without returning to the Kermit Hunter script. Audiences criticized the Geiogamah version for being “too major a departure” from the original and lacked the dramatic storyline with which audiences were familiar. Allee and Hurst kept some aspects of the “mythology-rich story” as written by Geiogamah but brought back the original script’s central protagonist, Tsali.⁶⁵ The Allee and Hurst script relied too heavily on the history “at the expense of dramatic appeal” and audience members seemed to get lost in the minutia.⁶⁶ Attendance numbers dropped once again after the 2007 season to 49,841, and so the decision was made for another rewrite.⁶⁷

A member of the tribe and the production staff for the drama, Linda Squirrel, was chosen to work on the new script. As Linda Squirrel explained, she had the advantage of

⁶⁵ Doug Mason. “Cherokee Commemoration: New Version of ‘Unto These Hills’ Opens This Weekend, along with Several Cultural Events.” *The Knoxville News-Sentinel*, June 3, 2007, Sunday Spotlight edition. Newspapers.com.

<https://www.newspapers.com/image/777066937/?terms=Unto%20These%20Hills&match=1>.

⁶⁶ Heidi L. Nees, “‘Indian’ Summers: Querying Representations of Native American Cultures in Outdoor Historical Drama.”, 77.

⁶⁷ See Figure 1

"seeing what worked, by hearing from our customers, what they liked and what they didn't like." From their input, she was able to begin developing a script to represent both historical accuracy and the drama their faithful audience had come to expect. "The first year it was a little rough but as each year has progressed we've evolved so now we're at a pretty good point with it."⁶⁸ According to Squirrel and the executive director, the evolution of the script was crucial to reaching the production's potential, and Squirrel's script became an amalgamation of all the past scripts plus her perspective of the show.

The 2008 Recession saw the production hit its lowest attendance numbers yet at 46,796.⁶⁹ Gas prices soared which directly affected all forms of tourism for that summer season, but especially those which resided in tourist towns high in the mountains.⁷⁰ For the next two years, the script would undergo alterations each season. It was not until the 2011 season that the production used a script that the majority had been used before. Linda Squirrel remained the primary playwright in those years and admitted to Heidi Nees that even though the history in each storyline may be questionable, "the audience must be entertained and tickets must be sold."⁷¹ As a Cherokee and an employee of the CHA, Squirrel sought to balance the wishes of the tribe and the audience. Nees, writing

⁶⁸ Interview with Linda Squirrel conducted by Heidi Nees and quoted in "'Indian' Summers," 78.

⁶⁹ See Figure 1.

⁷⁰ Tony Kiss, "Gas Costs May Hurt Theaters' Bottom Line." Asheville Citizen Times. June 12, 2008. Newspapers.com. <https://www.newspapers.com/image/198859737>.

⁷¹ Heidi L. Nees, "'Indian' Summers: Querying Representations of Native American Cultures in Outdoor Historical Drama.", 12-13.

in 2012, describes the Squirrel script as a “palimpsest of sorts” where pieces of “Hunter’s original script, Geiogamah’s re-write, and Hearst and Lee’s 2007 script are still evident.”⁷² She goes on to say that her interviews with Squirrel and the CHA seemed to indicate this final version of the script, settled on in 2011, would be used for the foreseeable future. It would last another six years before a sudden and unexpected change was announced.

A Return to the Familiar

In 2017, the executive director of the drama, John Tissue, announced the CHA’s decision to return to the original Kermit Hunter script with, for some, a surprisingly small number of changes. Their motivation was simple, they had long known the show was no longer what the board wanted it to be. Tissue said the original script “had a lot of warmth and a lot of character, and we got a lot of people asking about it.”⁷³ It was also important to the production staff that the rewrite of the original script was an accurate representation of Cherokee culture. Philenia Walkingstick, a CHA associate and tribal member, worked to remind everyone involved with the production of the importance of this representation,

⁷² Nees, 78.

⁷³ McKie, “Going Old School,” 2.

“I make sure that everyone goes in knowing that they need to respect and put this in their heart. . .It’s not a fictional story. These people lived. They were our ancestors, and they need to know that. . .this is something that happened to us in history, and they need to go in knowing that and portray these people with the respect that they completely deserve.”⁷⁴

This quote recognizes the impact of the performance on the people it had come to represent. Its inaccuracies and misrepresentations could be rewritten, corrected to better reflect the Cherokee who gained control of the narrative when the new Cherokee board of the CHA was put in place. Some have argued that this decision was purely economical, that the paradoxical reality of preserving their culture and surviving within the tourism economy they were placed in influenced their decision to return to what has been called a heinous misrepresentation of Cherokee history.⁷⁵ Others argue that despite the imposition of the tourism economy on the Eastern Band, it has become a vital piece of how the Cherokee protect their sovereignty and provide for the preservation of their people.⁷⁶

⁷⁴ McKie, 3.

⁷⁵ Christina Taylor Beard-Moose, *Public Indians, Private Cherokees: Tourism and Tradition on Tribal Ground* (Tuscaloosa: University Alabama Press, 2009), http://libproxy.clemson.edu/login?url=http://search.ebscohost.com/login.aspx?direct=true&db=e000xna&AN=420002&ebv=EB&ppid=pp_1.

⁷⁶ Katrina M. Phillips, *Staging Indigeneity: Salvage Tourism and the Performance of Native American History* (Chapel Hill, North Carolina: University of North Carolina Press, 2021), 130-131.

The exploitative origins of the tourism industry on the Qualla Reservation denied the Cherokee, and specifically the Eastern Band, agency and control over their public history and public memory surrounding their cultural identity. Facets of public memory, most notably the *Unto These Hills* outdoor historical drama, reimagined and misrepresented some of the most tragic moments in Cherokee history for economic gain. The evolution of the production has demonstrated a series of concerted efforts to regain that control and balance it with the economic needs of their community; and these efforts include their choice to return to the Kermit Hunter script and its tragic protagonist, Tsali. The Eastern Band of the Cherokee have chosen their creation story and their hero through Tsali, and they have chosen how they wish to share such a story with the public. Analyzing the original script in comparison with the modern show and discussing all interpretations of the Tsali narrative will elucidate how the retelling and reclaiming of a familiar story, however problematic it once was, is a powerful source of agency.

CHAPTER TWO

KERMIT HUNTER'S *UNTO THESE HILLS* AND THE ABSOLUTION OF WHITE GUILT: A TRAGEDY OF REMOVAL DEPICTED AS NECESSARY AND INEVITABLE

After a long year away from the Mountainside Theater in Cherokee, North Carolina, *Unto These Hills* reopened on May 29th, 2021. The outdoor drama, which was first performed before audiences in 1950, had closed its doors to protect patrons and performers from the spread of COVID-19, and this opening night performance was billed as a homecoming celebration. The Mountainside Theater is quite literally carved into the side of a mountain, and its parking lot winds down to meet the parking lot of the Oconaluftee Indian Village, the other tourist attraction operated by the Cherokee Historical Association. Guests of all ages can either hike their way up the mountain or be dropped off in front of the theater with its open-air entryway welcoming visitors with a cave-like effect. In the center of the entryway, past the box office and the first concession and merchandise stands, sits a fine glass box holding a small, but bright flame. A placard beneath the case names this the Eternal Flame, a representation of one of the important symbols found in the show, and around the reservation.

The Cherokee hold many aspects of the natural world to be of sacred importance to the tribe, and fire was key among them. The Sacred Flame burned inside the council house of each village and was the centerpiece of many religious exercises. One of their creation stories explains how the gift of fire was given to the Cherokee by the Thunder's

lightning and the heroic actions of the Water-Spider who carried it to the Cherokees' mountain home across the water. Many of their public storytelling events on the reservation today, which center on sharing Cherokee legends and myths with the touring public, begin with igniting the flames. With the beginning of each show, the sacred flame sits at the entrance of the mountainside theater, to open the storytelling and invoke a sense of sanctity upon the story that follows. The Eternal Flame in its box was first dedicated at the opening of the show's second season in 1951 and rededicated in 2001 to commemorate the flame's fiftieth season. According to The Cherokee Historical Association (CHA), the first flame was lit with a fire from a "Cherokee ceremonial ground in eastern Oklahoma," symbolically reversing the path of the Trail of Tears to return "to the Cherokees original homeland."⁷⁷ According to the CHA, The Eternal Flame memorializes the Cherokees whose lives were lost during removal, but also symbolizes the friendship between Cherokees and non-natives. At the first dedication, the then Cherokee Chief, Henry Bradley, and the then President of the Cherokee Historical Association, a white businessman from western North Carolina, Henry Buchanan, lit the Eternal Flame together, carrying the same torch from backstage to the new monument.⁷⁸ This message of unity, of living in a world where non-Native and Native communities live together as one whole, as Americans who are more similar than they are different, remains a theme in the production today over seventy years later.

⁷⁷ "Commemorative Landscapes of North Carolina," March 19, 2010.
<https://docsouth.unc.edu/commland/monument/559/>.

⁷⁸ "Commemorative Landscapes of North Carolina,"

This message of friendship, kinship between Native and non-Native, carries throughout the original version of the script. It serves as a reminder to audiences that the violence on the stage and the atrocities non-Native characters commit, are vestiges of the past. Kermit includes careful moments of absolution of guilt for white audiences in the form of certain white characters acting as saviors, the othering of some Cherokee and white characters, and the constant reminder that, in the end, all would be well. At the center of this story lies the inevitable march of white progress, the steady persistence of the Cherokee, and the tragic, but necessary, sacrifice of one Cherokee man's life. That story of sacrifice, the martyring of a Cherokee man named Tsali, has become one of the defining narratives of the Eastern Band of the Cherokee Indian. This chapter examines the original Kermit Hunter script of *Unto These Hills*, published in 1950, in its entirety and seeks to identify the instances of historical inaccuracy and misrepresentation while illuminating the defining moments of the narrative which have remained influential on the public memory of Cherokee history on the Qualla Reservation. The inaccuracies and misrepresentations found in this script can be attributed to broader trends and contexts that provide insight into the period, the people involved with and impacted by the production, and the audiences which attended and adored Kermit Hunter's *Unto These Hills* for over fifty years.⁷⁹ Overall, the modern version of the production, while it is a restaging of a problematic piece of literature, has made seemingly superficial changes, but these changes have shifted the meaning of the production as a whole.

⁷⁹ When the original Hunter script and the modern script diverge from one another, it is noted in the analysis. All other discussions of the content in each script pertain to both.

My first time at the Mountainside Theater I was a child, and I saw a very different version of *Unto These Hills* than the one described below. Visiting the Cherokee Reservation was a common vacation for my family, and I was about ten when we saw the version of the production credited to Linda Squirrel. The performance on the evening of May 29th, 2021, however, was of a purportedly modernized Kermit Hunter script. The script's many revisions in the early 2000s were deemed unsatisfactory by audiences and producers alike for a variety of reasons which will be explored later. Therefore, the Cherokee Historical Association chose to return to the original script which they reported had been "brought into modern sensibilities" to account for "historical inaccuracies and stereotypes."⁸⁰ John Tissue, the executive director of the Cherokee Historical Association in 2017, indicated that while the "patronizing kind of language" found in the old drama had been removed, the "warmth and character" of Hunter's production would be welcomed back.⁸¹ The rewrite was shortened from the original three hour long production to an hour and forty-five minutes, with certain scenes altered or cut altogether. One important aspect of the 1950 script returned, however, the dances and music that had been so loved by early audiences would once again be performed at the Mountainside Theater.

In May 2021, as I waited for the show to begin, a small group of performers stood dressed in costume off to the left of the amphitheater. Dressed as what can best be

⁸⁰ Scott McKie B.P., "Going Old School: 'Unto These Hills' Going Back to Original Script for 2017," *The Cherokee One Feather*, January 12, 2017, Cherokee One Feather Digital Archive.

⁸¹ Patrick Lambert and Philenia Walkingstick, 2017 quoted in Scott McKie B.P., "Going Old School: 'Unto These Hills' Going Back to Original Script for 2017," *The Cherokee One Feather*, January 12, 2017, Cherokee One Feather Digital Archive.

described as prairie-folk or frontiersmen, these performers offered renditions of familiar country and patriotic songs. Anthems of the Appalachians like John Denver's "Take Me Home, Country Roads," rung out across the theater encouraging the audience to join in on the chorus. The crowds' voices drowned out the performers as the audience belted:

Country roads, take me home
To the place I belong
West Virginia, mountain mama
Take me home, country roads⁸²

It would not be unreasonable to assume that some members of the audience might be from West Virginia, but all those gathered in the Mountainside Theater found a sense of belonging and camaraderie in the refrain. I found my fellow theatergoers looking around at one another and smiling, sharing laughter between strangers. Ending the pre-show performance on such a popular and familiar piece could not have been coincidence as it brought the audience and the performers into harmony with one another, reinforcing the theme of unity first established by the Eternal Flame sitting at the entrance.

⁸² John Denver, *John Denver - Take Me Home, Country Roads (Audio)*, 2013, <https://www.youtube.com/watch?v=1vrEljMfXYo>.



Folk singers, dressed as frontiersmen, entertain the audience before the show. Photo taken by author⁸³

The Show Begins

The current iteration of the show opens with an individual carrying forward a torch to a small basin sitting center stage, lighting the Eternal Flame to guide the story. Then, just as described in Hunter’s original stage directions, the lights come up slowly on the dirt stage as a narrator recounts the pastoral beginnings of the Cherokee people. As the narrator speaks, actors gather on stage to perform the first dance of the evening. The 1950 production begins with a throne, a native chief in a headdress, and an “Indian dance.”⁸⁴ Hunter’s narrator describes the peace of the time before the arrival of Europeans to the Americas, a “peace of common brotherhood, common worship, common labor,” that unites the Cherokee in “primitive ecstasy.”⁸⁵ The dance that carries on under the narrator’s voice is described as “sweeping and vivid,” and draws to a close as more actors filter onto stage. After the dance, the contemporary production jumps to a

⁸³ Photo by Author, May 29th, 2021

⁸⁴ Kermit Hunter, “Unto These Hills: A Drama of the Cherokee,” 1949, Box#004; Folder #34; Miscellaneous Scripts, University of North Carolina at Chapel Hill, Wilson Library, 5.

⁸⁵ Kermit Hunter, “Unto These Hills: A Drama of the Cherokee,” 5.

violent gun shot, a native man falling to the ground, and Hernando de Soto and his men storming the stage. The first script transitions to this violence more slowly, building the peaceful, pastoral scenes of native life. The 2017 rewrite attempted to save production time wherever possible, since the original production was more than three hours long, owing in large part to the lengthy passages read by the narrator. These passages describe the Cherokee as a peaceful, pastoral people which juxtaposes sharply against the violent and powerful white men. Given that Hunter was writing to appeal to majority white audiences of the 1950s, a natural, pre-modern existence would appeal to the anti-industrialism and anti-modernism of his time. Historians connect periods where Americans romanticize the natural world to a renewal in fascination with Indigenous cultures. In the late 1940s and 50s, Americans became concerned with how modernization was impacting the masculinity of their sons and turned to a misrepresentation of Indigenous cultures for a pre-modern, masculine centered existence.⁸⁶

The show draws influence from a variety of sources and chief among them is the Christian Bible. Throughout the production, and even in its name, the Bible is referenced both to provide a familiar framework for audiences and to draw parallels between the action on the stage and Biblical figures. The narrator's first passage, in both versions of the production, begins almost like Genesis, "In the beginning was the land," instead of "In the beginning God created heaven and the earth."⁸⁷ The narrator speaks as if he is

⁸⁶ Deloria, Philip Joseph. *Playing Indian*. Yale Historical Publications. New Haven: Yale University Press, 1998.

⁸⁷ Hunter, *Unto These Hills*, 6.

simultaneously a part of and apart from the events of the stage. The use of phrases such as “My brother the fox spoke and said,” suggests that the narrator considers himself to be of mythical connection to the Cherokee. In so doing, Hunter grants this voice a narrative authority above the players on the stage and above the audience. Additionally, beginning the narrative in this fashion mirrors one of the key quasi-historical influences on the format of the show. James Mooney’s *Myths of the Cherokee* was heavily influential on Hunter as a playwright, as his script and characterizations reflect Mooney’s emphasis on the pastoral, gentle existence of the Cherokee.

In Hunter’s script, he portrays Indigenous people as gentle and passive which juxtaposes sharply with the “roaring wave” which would rise “out of the Great Sea to the east.”⁸⁸ This “hungry tide of pioneers,” these “white giants” were an unstoppable force, but more than that, they were “destined” to arrive on the shores of North America.

White men would one day take the land in their hands and shake it. Hills and valleys would grow noisy with the clanking of hoe and spade, the ringing of ax and hammer, the crash of falling timber. The land would give forth its bounty to a fabulous race of white giants. . . The giants would build roads, churches, schools. They would chain lightning and thunder. They would take the land and shake it without mercy!⁸⁹

⁸⁸ Hunter, *Unto These Hills*, 6. Sequoyah’s characterization in this scene is reminiscent of the “Noble Savage” stereotype as discussed in Berkhofer, Robert F. *The White Man’s Indian: Images of the American Indian from Columbus to the Present*. 1st Vintage Books ed edition. Vintage, 1978, 122-135.

⁸⁹ Hunter, *Unto These Hills*, 6.

The European conquerors, represented by Hernando de Soto, are not without blame for the brutality they deliver to the land and the native peoples, but Hunter treats their presence as an inevitable and even necessary evil. Without the imposition of such powers, there would be no progress on the American continent. The Indigenous peoples are depicted here as naive and powerless, the language of the original script, in just the opening scene, is dehumanizing and belittling. No one has yet spoken; no character has uttered a word.

The narrator, the voice contextualizing the events of the stage, speaks alone and paints with broad strokes. The infantile and simple Cherokee are painted in shades of animalistic and instinctual red, while the Europeans are a pure and powerful white. A common practice among many outdoor historical dramas was to “paint” white actors to match audience expectations of the racial group they are portraying. Hunter describes meeting audience expectations for color to be an absolute necessity. Even Cherokee actors were painted to resemble more closely “Indians.”⁹⁰ In so doing, the show erases the Indigenous actors’ sense of identity, hiding it behind the non-Indigenous audiences’ conception of “Indianness.”

Because the idea of “Indianness among non-Indigenous audiences so closely adheres to stereotypical depictions based on skin color, personal attire, and

⁹⁰ Kermit Hunter, “History or Drama?,” *South Atlantic Bulletin* 19, no. 1 (1953): 3–4, <https://doi.org/10.2307/3197940>, 3.

language, even Indians are not “Indian enough” to play an Indian on stage. They must be, in the words of Berkhofer, the “White man’s Indian.”⁹¹



Actors in Red Face during *Unto These Hills*. Images courtesy of UNC Chapel Hill, Wilson Library.⁹²

In addition to this passage establishing the strict color lines between the characters in the show, the language of this passage also acknowledges the rending of the peace enjoyed during the idyllic time before the arrival of Europeans. Furthermore, it simultaneously absolves the white members of the audience of any guilt this destruction may have inspired. The destruction of Cherokee peace was bound to occur, an inevitable fact of progress, and therefore the audience need not feel shame for their forebears’

⁹¹ Joshua Casmir Catalano. “The Settler-Colonial Memory of the Gnadenuhthen Massacre and the Burning of William Crawford.” Dissertation, George Mason University, 2019, 500.

⁹² Hugh Morton. “*Unto These Hills*” *Slide Show*. early 1950s. Image, 35mm (24 x 36mm / 15/16 x 1 7/16 in.). P081. University of North Carolina at Chapel Hill. https://dc.lib.unc.edu/cdm/singleitem/collection/morton_highlights/id/3124/rec/7; Hugh Morton. *Unto These Hills*. early 1950s. Image, 35mm (24 x 36mm / 15/16 x 1 7/16 in.). P081. University of North Carolina at Chapel Hill. https://dc.lib.unc.edu/cdm/singleitem/collection/morton_highlights/id/3207/rec/12; Hugh Morton. *Unto These Hills*. early 1950s. Image, 35mm (24 x 36mm / 15/16 x 1 7/16 in.). P081. University of North Carolina at Chapel Hill. https://dc.lib.unc.edu/cdm/singleitem/collection/morton_highlights/id/3202/rec/8.

actions. The violence was ugly and disruptive, but the narrator asserts that it was necessary and inevitable.⁹³

The members of the audience are further absolved from guilt when the first European character formally introduced in the show is a Spanish speaking man. Hernando de Soto names himself to the Cherokee gathered on the stage through a native guide and translator named Kotanga. De Soto, in Hunter's first script, speaks a broken and very literal version of Spanish. He speaks only of gold, food, and service to "el rey de España," the king of Spain.⁹⁴ This rudimentary language mirrors the jilting, uncomfortable way in which the native characters speak. While the color lines are clearly being drawn on stage, there is near constant reference being made to either the "Red Man" or the "white skin" of the Europeans. In keeping with a broader tradition of casting blame on Spaniards rather than the Anglican ancestors to most in the audience, Hunter's poorly translated Spanish can be interpreted as a means through which the English-speaking audience can further separate themselves from the violence of the scenes.⁹⁵ It was the Spaniards who committed this first act of violence, the Spaniards who first broke this peace. Whatever followed was, in part, because of the actions of Spaniards, not the English.

⁹³ For more on the origins of the inevitability argument: Dippie, Brian W. *The Vanishing American: White Attitudes and U.S. Indian Policy*. 1st ed. Middletown, Conn: Wesleyan University Press, 1982.

⁹⁴ Hunter, *Unto These Hills*, 11.

⁹⁵ This builds upon a longstanding historiographical phenomenon, known as Black Legend, of using the Spanish as the scapegoat for initiating and committing some of the more heinous actions for which the English and French were also responsible.

The history of Cherokee interactions with white explorers, settlers, and colonists are collapsed here into a single scene; a choice which historian Gregory D. Smithers, connects to Hunter being a “self-confessed southern liberal.”⁹⁶ Hunter draws the audience into the history of Cherokee encounters with colonialism “through a familiar story of peaceful, trusting American Indians and aggressive, violent European colonizers.”⁹⁷ But rather than exploring the Cherokee memory of these encounters and their historical significance, Hunter compacts this history into a “one-dimensional epoch of European greed, trickery, and violence.” The first scene ends with de Soto’s exit to continue his search for gold and the next scene begins with this collapsing of two-hundred and fifty years of history into a single narrated paragraph. The violence of colonization is portrayed through “Good met with evil; evil with evil.”⁹⁸ Cherokee history prior to contact with Europeans is neglected entirely, the Revolutionary War is skipped past so as not to trouble audiences with the news that the Cherokee fought against the Americans in the war for independence. Rather than relay such complexity, which Hunter and his producers call “small facts,” the second scene begins in 1811 with the entrance of “The Shooting Star of the Shawnee.” Tecumseh arrives to enlist the help of the Cherokee in resisting the expansion of the United States alongside other tribal groups.

As scene two opens, the narrator heralds Tecumseh’s entrance to the stage for a meeting with individuals whom Hunter calls “Cherokee leaders,” White Path, Junaluska,

⁹⁶ Gregory D. Smithers, “A Cherokee Epic: Kermit Hunter’s *Unto These Hills* and the Mythologizing of Cherokee History,” *Native South* 8, no. 1 (2015): 1–30, 7.

⁹⁷ Smithers, 7.

⁹⁸ Hunter, *Unto These Hills*, 12.

John Ross, and Sequoyah. The modern production takes issue with Junaluska's inclusion here, given that he was never a Cherokee chief. He was an important elder and leader, but never a chief as the others in the scene, and he would not have been speaking at a meeting of this nature. Instead, the modern production gives these lines to Yonaguska, called Drowning Bear in the original script, who was a chief to be more in line with Cherokee tribal structure and expectation. Tecumseh first approaches the Cherokee with reverence and an expression of brotherhood, which quickly turns to a call for blood. He stands before the Cherokee with two feathers in his headband, a white feather of friendship and a red feather which means "death to all white men!"⁹⁹ After hearing this declaration White Path responds in agreement before John Ross, speaking in a "clear, refined voice," asks for patience and more detail. This stage instruction which Hunter has included is of crucial importance. John Ross was of mixed heritage, described by Junaluska as "seven-eighths white."¹⁰⁰ The pattern of speech used by the other Cherokee, and other native people in general, on the stage is always jilted and in third person. As White Path speaks just before John Ross, he says "White Path is war chief of the Cherokee--White Path joins Tecumseh!" Tecumseh too speaks in this angry, broken English. Sequoyah, the inventor of the Cherokee syllabary, speaks in this same stunted, third person, but with perhaps a bit more eloquence denoting his peaceful standing. Throughout the 1950 version of Kermit Hunter's script, all native peoples speak in a rhythmic, broken pattern referring to themselves and to their companions by their proper

⁹⁹ Hunter, *Unto These Hills*, 13.

¹⁰⁰ Hunter, *Unto These Hills*, 14.

names. In so doing, Hunter meets the audience's expectations for the sound of native peoples.

Philip Deloria identifies the rhythmic pattern non-Indigenous composers used to demarcate “Indian music” in popular culture and entertainment and discusses how its use meets an expectation of a melancholy, vaguely threatening depiction of indigeneity. The pattern Deloria identifies, “DUM dum dum dum DUM dum dum dum,” of a heavy drumbeat translates not only to the music used in depictions of native cultures, but also to the manner in which indigeneous characters speak.¹⁰¹ This pattern meets audience expectations and reinforces the othering of the Cherokee Hunter has been crafting since the opening war dance. In addition to this narrative choice serving to other the Cherokee for the sake of audience expectation, it is also a historical inaccuracy. The Cherokee of this period were literate in English “to a great extent” and maintained “vigorous public discourse” with an “abundance of written records” which thoroughly document their political and social predicament.¹⁰² Not only does this narrative and auditory choice fall into the stereotypical pitfalls of popular portrayal of Indigenous characters and sacrifices historical accuracy for this purpose, it also serves as a stark contrast to the characters in *Unto These Hills* who are white or claim white heritage.

Perhaps the most important historical figure in this scene, in addition to Sequoyah and Tecumseh, was Principal Chief John Ross who was an interracial man and the leader

¹⁰¹ Deloria, Philip Joseph. *Indians in Unexpected Places*. CultureAmerica. Lawrence, Kan: University Press of Kansas, 2004, 183-223.

¹⁰² Bloom, Khaled J. “An American Tragedy of the Commons: Land and Labor in the Cherokee Nation, 1870-1900.” *Agricultural History* 76, no. 3 (2002): 497–523.

of the Cherokee from New Echota, Georgia. Hunter's choice to include an assertion by Junaluska on behalf of John Ross that though he may only be one-eighth Cherokee, he is still Cherokee, directly correlates to the idea of blood quantum.¹⁰³ Blood Quantum laws, or Indian blood laws, in the United States define Native American status in terms of fractions or percentages of blood and inheritance. Through different periods of American history, the US government has defined and redefined what it means to be "Indian" to fit different purposes typically without the input of Indigenous people. In the mid to late 1800s, the period which Hunter historicizes, the concept of blood quantum was used to define a point at which responsibilities to tribes and their treaty rights would end. In so doing, the government intended for blood quantum to eventually "eliminate Native peoples--that intermarriage would 'dilute' the amount of 'Indian blood' in the population."¹⁰⁴

Legally extracting Native identity through blood not only disregards traditional, tribal definitions of identity it also facilitates forced assimilation. During the Treaty Period, federal and state officials used the language of blood in their negotiations with Indigenous groups to describe Native American ancestry. Specifically, it was often used to define those who "were mixed with non-Native ancestry," as was the case for John Ross and many of the Cherokee elites in New Echota.¹⁰⁵ In the summer of 1831, the

¹⁰³ John Ross's ancestry was a point of conflict for many people of his period. He was the son of a Cherokee mother and a Scottish father; his mother and maternal grandmother were also of Scots-Cherokee ancestry. The Cherokee are a matrilineal people and therefore anyone born of a Cherokee mother is considered to be Cherokee and is a member of her clan.

¹⁰⁴ "Blood Quantum and the White Gatekeeping of Native American Identity," *California Law Review*, April 13, 2021, <https://www.californialawreview.org/blood-quantum-and-the-white-gatekeeping-of-native-american-identity/>.

¹⁰⁵ "Blood Quantum and the White Gatekeeping of Native American Identity."

Cherokee Nation was united in their collective opposition to removal. In an attempt to sow discord among the Cherokees, the Georgia Governor, George Gilmer, sought to use the blood quantum of Principal Chief Ross to support his claim that the Nation was ruled by a “clique of mixed-blood, mostly white, self-serving aristocrats who browbeat the full-blood ‘real’ Cherokees into opposing removal when they knew it was in their best interest to go.”¹⁰⁶ The production’s narrative at this moment does not align itself with the sentiments of this Georgia governor, but it uses these concepts to illustrate certain distinctions between the traditional and modern. Hunter acknowledges John Ross’s heritage through dialogue and speech patterns in order to create a distinction between the older Cherokee and the newer, the assimilated versus the “authentic.” The native characters speak in the third person, using their name in place of most pronouns; whereas the white characters, with John Ross included, are articulate according to Eurocentric understanding and speak in the first person. This pattern is only broken by the introduction of the “frontiersmen” in Scene five who speak in an Appalachian dialect.

Language plays a key role throughout Kermit Hunter’s production as an indication of to which character group an individual belongs. He separates Chief Ross from the other Cherokee in this meeting to strip Ross of authenticity, of being a “real” Cherokee. To be a “real” Cherokee, is to be uneducated, traditional. There is a denial of modernity in Hunter’s choice to separate Ross from his fellow Cherokee. Hunter

¹⁰⁶ Theda Perdue and Michael Green, *The Cherokee Nation and the Trail of Tears* (New York: Viking, 2007), http://libproxy.clemson.edu/login?url=http://search.ebscohost.com/login.aspx?direct=true&db=nlebk&AN=1127399&ebv=EK&ppid=Page-__-10.

differentiates Ross's language from the language of other Native characters to divest Ross from the traditional Cherokee, the "authentic" Cherokee, a fact which is further proven by adding Junaluska's discussion of blood quantum. Junaluska attempts to justify Ross's presence among them but in so doing outlines his difference from the other Cherokee around him. Ross is representative of an assimilated, even modern, group of Cherokee, the picture of the union between white America and Native America.

In addition to this tactical use of language which remains a constant theme throughout the production, Hunter also draws upon and reinforces certain long-held stereotypes of Native Americans. As this scene carries on, Sequoyah enters the conversation to advocate for peace. Junaluska introduces Sequoyah and his accomplishments by saying:

From the far south comes one who knows the history and the wisdom of the white man. Already he is building a new language, so our people can print books, and read and learn. This man is a Christian, like all of us.¹⁰⁷

Sequoyah is credited with the creation of the Cherokee syllabary, the written version of the Tsalagi Gawonihisdi, which was then used to write the Cherokee Constitution and to publish the Cherokee newspaper, *The Phoenix*. In this scene, Sequoyah fulfills a role, a character archetype, first popularized by a book published by James Fenimore Cooper in 1846, *The Redskins: Indian and Injin*. According to Phillip Deloria, the concept of the wise, old Indian, a stereotype he indicates is akin to the Uncle Tom epithet, was popularized by Cooper's quasi-fictional depiction of a native character named Susquesus.

¹⁰⁷ Hunter, *Unto These Hills*, 17.

Cooper positions Susquesus and his band of “hardy Indian visitors” against a rebellious group of individuals he refers to as the “injins,” who were white, antirent rioters costumed as native americans. Susquesus instructs the rioters in the importance of the law and order, he, and his followers “pound home the moral of social stability.”¹⁰⁸ Like Cooper’s Susquesus, Hunter’s Sequoyah instructs the wild and violent Tecumseh in the ways of peace and the value of social order. He outlines the ways in which the bond between white and native has produced mutual learning, and most importantly the sharing of Christianity.

Years ago we lived in caves and grass huts--today we build warm houses. Many times we used to starve through the long winter--now we plant big fields of corn and potatoes, and store food in barns for the winter. Our fathers prayed to the spirits of these mountains--now we go to church and worship a Christian God.

*Where did the Red Man learn these things?*¹⁰⁹

Setting aside the litany of historical inaccuracies found in these five lines, Sequoyah’s character has firmly placed himself in favor of peace and brotherhood with the white man because he finds himself in favor of the orderly nature of white society, innovation, and faith. Sequoyah admits he is afraid of the “Red Man” for his “simple and trusting” nature.¹¹⁰ He tells Tecumseh that this fear is based in the reactionary, almost prey-like

¹⁰⁸ Philip Joseph Deloria, *Playing Indian*, Yale Historical Publications (New Haven: Yale University Press, 1998), 39.

¹⁰⁹ Kermit Hunter, *Unto These Hills*, 18

¹¹⁰ This framing of inherent characteristics based on race in Hunter’s script is a continuation of nineteenth century pseudoscience, for more see Thomas, David Hurst. *Skull Wars Kennewick Man, Archaeology, and the Battle for Native American Identity*. New York: Basic Books, 2000.

instinct of his people, when a “Red Man.. .is hurt he goes crazy and tries to hurt back.” He asks where the violence ends and makes three straight forward demands of the Cherokee gathered around him, “We must stop killing, stop hating, and stop fighting!”¹¹¹ The scene ends with Sequoyah making a grand and sweeping statement about the Cherokee will choose peace from this day forward as they enter into a bond of brotherhood with white men.

Scene three historicizes the War of 1812 and the Battle of Horseshoe Bend. Junaluska is seen coming to the defense of General Andrew Jackson when two “hideously painted” Creek prisoners’ attack.¹¹² This scene establishes the connection between Jackson and the Cherokee. Hunter installs Jackson as the primary antagonist of the production through this very short scene which sets the stage for his later betrayal of the Cherokee. Junaluska keeps Sequoyah’s promise of brotherhood and risks his life in protection of Jackson who spends the entire scene disparaging the natives he fights against and alongside. In the final moments before the lights fade to black, Junaluska and Jackson stand center stage shaking hands, an acknowledgement of the bond that has now been forged between them. Anyone familiar with the history of the Trail of Tears will recognize the foreshadowing of Jackson’s betrayal of the Cherokee. Just four scenes later, audiences will find Junaluska and Jackson standing across from one another again and Jackson will refuse to listen to the Cherokee as they advocate for their sovereignty and citizenship. Scene three, however brief, introduces Jackson as the antagonist, and places

¹¹¹ Hunter, *Unto These Hills*, 19.

¹¹² Hunter, *Unto These Hills*, 24.

him across from Junaluska as a representative of the Cherokee and one of the protagonists.

The other protagonist of the show, Tsali, is seen only briefly in this scene. Tsali is introduced as Drowning Bear's friend who brought the two Creek prisoners to Jackson.¹¹³ The character of Tsali and the Cherokee man he represents are two sides of an interesting and occasionally contradictory coin. While the historical Tsali will be the centerpiece of Chapter Three, he is introduced here as Drowning Bear's friend and fellow warrior. Though his introduction is short, Tsali and his family become fixtures of the show as they represent the Cherokee families impacted by the events of Removal. Tsali and his wife Wilani will personify the violence the Cherokee face on the Trail and the reality of families torn asunder by the actions of the American government. But for now, Tsali is just one of the many young Cherokee men who fought alongside Jackson at the Battle of Horseshoe Bend while his wife and people wait anxiously for his return.



¹¹³ Drowning Bear is more commonly known as Yonaguska and he was the chief of the Cherokee middle towns, in North Carolina, from 1800 until his death in 1839. The modern production refers to him by his Cherokee name.

Actress performing as Wilani, Tsali's wife, sits with her hunting basket and baby cradle. (early 1950s) Image courtesy of UNC Chapel Hill Wilson Library.¹¹⁴

Scene four snaps from the violence of war back to the peace of the Cherokee in the Great Smokies, but the tone is more strained, more anxious. The year is now 1814 and the audience meets the show's first women characters, nearly half way through the first act.¹¹⁵ Mrs. Perkins, "a lusty pioneer woman," and Wilani, Tsali's wife, discuss their anxieties over the Cherokees who have not yet returned from war.¹¹⁶ Wilani has given birth in the time it has taken Tsali to return; her daughter is named Nundayeli and Mrs. Perkins says she will be a "real princess."¹¹⁷ Suddenly, Tsali enters the stage to be embraced by Wilani who then presents him with his daughter and a hunting basket she has made for him. Mrs. Perkins leaves the stage so that Tsali and Wilani are left together, the cradle between them. Tsali's pride in his family is connected directly to the pride of the Cherokee as the lights fade and the music rises in time for the "Great Eagle Dance."¹¹⁸ The narrator returns to inform the audience that the Eagle Dance was performed to celebrate a great victory as "Drowning Bear's village reached far into the primitive past and brought back a dance of triumph, so that their white friends might see it."¹¹⁹ Dancers flood the stage and Hunter's directions instruct:

¹¹⁴ Hugh M. Morton. "Unto These Hills" Slide Show. early 1950s. Image, 35mm (24 x 36mm / 15/16 x 1 7/16 in.). University of North Carolina at Chapel Hill, Wilson Library, North Carolina Collection Photographic Archives. https://dc.lib.unc.edu/cdm/singleitem/collection/morton_highlights/id/3122/rec/6.

¹¹⁵ Hunter's choice to structure the show with this chronology has the effect of leaving out one of the obvious places to include a story of a Cherokee woman, Nanye'h (Nancy Ward).

¹¹⁶ Hunter, *Unto These Hills*, 28

¹¹⁷ Hunter, *Unto These Hills*, 29.

¹¹⁸ Hunter, *Unto These Hills*, 30.

¹¹⁹ Hunter, *Unto These Hills*, 30.

*The music changes to a steady, low, dance movement. A dim band of colored light across the center stage reveals a group of dancers in loin cloths, knee-bells, and colorful eagle feathers. The dance moves to a brilliant climax as the lights finally go down once more and the music changes to a more sombre [sic] mood for the Narrator.*¹²⁰



The Eagle Dancers (circa 1954) Image courtesy of UNC Chapel Hill Wilson Library.¹²¹

While the Eagle Dance is a recognized ceremony among the Cherokee, its representation in *Unto These Hills* has been met with controversy. The eagle (awâ'hîlî) is a sacred bird according to Cherokee tradition. Mooney writes that the eagle features in many ceremonial rituals, especially ceremonies in preparation for or recognition of war. The killing of an eagle was a significant event which concerned all Cherokees in the settlement undertaking such a task and could only be carried out by the “professional

¹²⁰ Hunter, *Unto These Hills*, 30.

¹²¹ Hugh M. Morton. “*Unto These Hills*”: *Hugh Morton Collection of Photographs and Films*. circa 1954. Photographic, Print, 4X5 in. Hugh Morton Photographs and Films (P081); Finding Aid: <http://www.lib.unc.edu/ncc/pcoll/inv/P0081/P0081.html>. University of North Carolina at Chapel Hill, Wilson Library, North Carolina Collection Photographic Archives. https://dc.lib.unc.edu/cdm/ref/collection/morton_highlights/id/102.

eagle killer” who was knowledgeable of the “prescribed forms and the prayers to be said afterwards in order to obtain pardon for the necessary sacrilege, and thus ward off vengeance from the tribe.”¹²² When the people of a given town decided an Eagle Dance was needed, the eagle killer was called upon to procure the necessary feathers and was paid for his work through the offerings made at the dance. The secrets of the eagle killer were carefully guarded and the feathers, once gathered, were hung in a hut constructed solely for this purpose near the edge of the dance ground. The Eagle Dance was held the night of the day in which the feathers were placed in their “feather house” and only the greatest warriors were permitted to wear the feathers. Due to the sacred nature of the eagle, the dance could only be performed by the town’s greatest warriors and those well versed in the “sacred ordinances.”¹²³

Even though the Eagle Dance was an important ritual of the Cherokee it would not have been undertaken by the entire settlement as indicated by Hunter’s stage directions. The dance would not have been performed as a dance of triumph after war. In fact, the dance being performed at all by anyone not recognized by the tribe as having undergone the necessary training and learning to be worthy of performing an Eagle Dance was a subject of great concern for the Cherokee who were present for the first reading. In addition to their unease regarding the historical inaccuracies Hunter presented to them, it has been reported that this scene, “when it was originally read to Cherokees in their own language, met with howls of protest” because this rendition “trivialized the

¹²² James Mooney, *Myths of the Cherokee*, 42.

¹²³ Hunter, *Unto These Hills*, 43-44.

sacredness of both the eagle and the dance in Cherokee culture.”¹²⁴ The choreographed dance and music designed by Hunter and the production team did not portray the complexity of the ceremony. Furthermore, there would have been no Cherokees involved in the dance as a part of the production since, “dance students from the University of North Carolina filled the ranks of the ‘eagle dancers.’”¹²⁵

By his corruption of a sacred ceremony and tradition, Hunter compounded his “egregious historical errors” and “compromised the *spirit* of Cherokee history but also denigrated it by ignoring the ceremonial significance” of the dance.¹²⁶ Samuel Selden, the director of the Carolina Playmakers, the organization through UNC-Chapel Hill which educated Kermit Hunter and provided many of the performers and individuals involved in the production of the show, argued that this moment was more about “the ‘spirit’ of the truth over literal factuality.”¹²⁷ Despite the irreverent nature of the Eagle Dance’s inclusion in the show, it became one of the audience's favored moments of the play and is still used in promotional materials for the modern production.

¹²⁴ Smithers, “A Cherokee Epic,” 11.

¹²⁵ Christina Taylor Beard-Moose, *Public Indians, Private Cherokees: Tourism and Tradition on Tribal Ground* (Tuscaloosa: University Alabama Press, 2009), http://libproxy.clemson.edu/login?url=http://search.ebscohost.com/login.aspx?direct=true&db=e000xna&AN=420002&ebv=EB&ppid=pp_1, 33.

¹²⁶ Smithers, “A Cherokee Epic,” 11.

¹²⁷ Dr. William P. Connor, Jr., “History of the Cherokee Historical Association 1946-1982” (Cherokee Historical Association, 1982), Manuscript Collection #1250, East Carolina University.; Andrew Denson. *Monuments to Absence: Cherokee Removal and the Contest Over Southern Memory*. Chapel Hill: The University of North Carolina Press, 2017. http://libproxy.clemson.edu/login?url=http://search.ebscohost.com/login.aspx?direct=true&db=e000xna&AN=1462770&ebv=EB&ppid=pp_Cover.; Beard-Moose, Christina Taylor. *Public Indians, Private Cherokees*, 33.



An image of an Eagle Dancer is included on the Drama's website and booking page.

Image courtesy of the Cherokee Historical Association website.¹²⁸

Scene five introduces the audience to the white Appalachians and the beginning of the end for the majority of Cherokee on the Eastern coast. Picking up in the year 1835, the narrator reminds the audience of the unstoppable tide of white settlers who have “shoved their way into the wilderness, grabbing land, building towns, and taking what they wanted.”¹²⁹ The Georgia Gold Rush was well underway and the Cherokee living in the Georgia mountains were “overrun” by white prospectors. Called “white trash” by the Storekeeper, the white men in this scene are loud, crude, greedy, drunks who make their feelings towards the Cherokee known when a boy the Storekeeper calls Tsawasi enters the store. While the Storekeeper is attending to Tsawasi's order, a frontiersmen, Brad, becomes belligerent and strikes at the boy for “gawkin' at a white man!”¹³⁰ The Storekeeper stands up for the Tsawasi and removes Brad and his acquaintances from the store just before Reverend John F. Schermerhorn enters the scene. The reverend announces that he is acting as a representative of the United States Government who is

¹²⁸ “Unto These Hills Drama - Cherokee Historical Association,” 2021. <https://www.cherokeehistorical.org/unto-these-hills/>.

¹²⁹ Hunter, *Unto These Hills*, 30.

¹³⁰ Hunter, *Unto These Hills*, 34.

intent on buying this land from the Cherokee and moving them out west, “so more white people can move in here.”¹³¹ He concludes by praising “Andy Jackson” for the idea since it will be “about the best thing that ever happened to the Cherokee.”¹³² With this scene, the audience has been introduced to another antagonist, another enemy to the Cherokee people, the white frontiersmen whose interest lies solely in the profit to be made off the Cherokee land.



Frontiersmen and the Storekeeper (early 1950s). Image courtesy of UNC Chapel Hill Wilson Library.¹³³

The language Hunter uses to describe the Appalachians in this and subsequent scenes indicates a level of classism that would have been familiar to audiences. Hunter’s primary antagonists in this play are a class of people the audience would have recognized as other. He characterizes them as greedy, racist, drunks, with mismatched costumes and coal-

¹³¹ Hunter, *Unto These Hills*, 36.

¹³² Hunter, *Unto These Hills*, 37.

¹³³ Hugh M. Morton. “*Unto These Hills*” *Slide Show*. Early 1950s. Image, 35mm (24 x 36mm / 15/16 x 1 7/16 in.). Hugh Morton Photographs and Films (P081). University of North Carolina at Chapel Hill, Wilson Library, North Carolina Collection Photographic Archives.
https://dc.lib.unc.edu/cdm/singleitem/collection/morton_highlights/id/3116/rec/2.

smear faces, who speak in a distinct dialect. Later in the show, their bigotry will be used by Andrew Jackson to justify the necessity of Removal, and to ease any audience discontent at seeing the American military perform such heinous actions. This scapegoating of a particular class of people deemed lesser was and still is a tactic used by the elite to shift focus away from the systemic forms of racism the government and the ruling class construct.¹³⁴ By not allowing the Cherokee to live in peaceful harmony and assimilation with the white Americans who did support them, like the Storekeeper, the Perkinses, the Worcesters, Will Thomas, and Sam Houston, the greedy and bigoted “white trash” broke the bonds of brotherhood which the Cherokee had been tasked to forge. President Jackson will not escape blame, as scene eight will prove he holds no love for the Cherokee. His betrayal will be justified by the voices of these white Appalachians who terrorize the Cherokee from the beginning to the end of *Unto These Hills*.

Hunter did not leave his majority white audiences with the impression that all their forebears were the sort of cruel and immoral characters represented by Jackson and the frontiersmen, instead he provides examples of white saviors. As the scene ends, the Storekeeper comes to the defense of the Cherokee boy and can be heard offering his opinions of the inherent goodness of the Cherokees. He goes so far as to ask Schermerhorn how he could call dispossessing the Cherokee of their homes and farms “a great day,” thereby firmly distinguishing himself from the frontiersmen in his shop and the position of the American government. Hunter absolves the guilt of the majority white

¹³⁴ Nancy Isenberg. *White Trash: The 400-Year Untold History of Class in America*. New York, NY: Viking, 2016.

audiences by presenting the antagonists as distinctly different from certain characters who were actively involved in the protection of the Cherokees.

Scene six harkens back to scene two where Cherokee leaders gathered to discuss an important decision facing their people. Scene two was the question of war, scene six is the question of treaty and land secession. The audience sees Junaluska, Drowning Bear, Will Thomas, and John Ross on stage left watching as White Path paces back and forth. These Cherokee chiefs, as they are called in the stage directions, are arguing over whether the Cherokee should accept the government's offer of fifty cents per acre of their land. White Path points out that this is not just a treaty for their land but for "our houses, our barns, our livestock, our fences."¹³⁵ Junaluska reminds him of Sequoyah's words and promise for peace, and wonders what else can be done now that the government has offered to buy their land rather than just taking it. Ross urges resistance until they can be offered a fair treaty to which White Path responds with even more outrage. The Cherokee people are dying and White Path accuses Principal Chief Ross of urging for peace and reliance on their supposed "friends" in Washington when there is no promise of support. White Path then turns angrily to Drowning Bear for bringing a white man into their council. Junaluska once again comes to the defense of the presumed outsider, arguing that Will Thomas is Drowning Bear's "white son" who would "die himself if it would help the Cherokee. . .But do not ask a rabbit to fight a mountain lion!"¹³⁶ Drowning Bear acknowledges that the well-intentioned actions of a single white man would have no

¹³⁵ Hunter, *Unto These Hills*, 37.

¹³⁶ Hunter, *Unto These Hills*, 39.

impact on the white giants who have decided to take Cherokee land. Hunter reminds audiences once again that Removal was inevitable, and that even the best efforts of a white savior would not have saved the Cherokee.

Hunter's continued efforts to maintain audience attention on the broad scope of his narrative and not on the "small facts" of historical reality means that his characterization of Will Thomas neglects certain key aspects of the individual's history and connection to the Cherokee. The historical William Holland Thomas was the white adopted son of Yonaguska, or Drowning Bear, who was the chief of the Quallatown Cherokees in western North Carolina. He was a trading merchant and self-taught lawyer who had grown close to the Cherokee in the Quallatown Community through his work as a trader. He functioned as the Qualla Boundary's quasi-legal representation in 1836 when the Treaty of New Echota was presented. The treaty included a provision, under article 12h, that the Cherokees in Tennessee, Alabama, and North Carolina who "Qualified or calculated to become useful citizens shall be entitled on the certificate of the commissioners to a preemption right of one hundred and sixty acres of land or a quarter section at the minimum Congress price, so as to include the present buildings or improvements of those who now reside there and such as do not live there at present shall be permitted to locate within two years any lands not already occupied by persons entitled to preemption privileges under this treaty."¹³⁷

¹³⁷ "[Copy of New Echota] Treaty [between] the Cherokees [and the] United States, 1835," accessed January 22, 2022, https://dlg.usg.edu/record/dlg_zlna_tcc221.

Thomas convinced both federal authorities and local leaders that the Cherokees living on the Qualla Boundary were already citizens and were therefore exempt from removal. Essentially, Thomas and the Quallatown Cherokees argued “the United States had already eliminated Indians from this section of North Carolina,” since they were now landholders and “members of distinct political communities.”¹³⁸ William Thomas assisted the Quallatown Cherokee in their appearance of “assimilation” and “civilization” so that they may remain in the western North Carolina mountains. Hunter does not describe this complexity in his narrative, presumably since that would bog down the narrative action with “small facts” once again. Even though Thomas’s role in this show is more understated than his actual function in the formation of the Eastern Band of Cherokee Indians, the character remains a near constant presence alongside Drowning Bear.

In Scene seven, Drowning Bear, Tsali, and Thomas push back against Schermerhorn and his attempts to have the Cherokee sign the treaty. As the scene begins, Schermerhorn greets the Cherokee who have come to his picnic and acknowledges a fellow reverend, Elias Boudinot. As with many of the figures in his show, Hunter simplifies Elias Boudinot to “little more than a Cherokee spokesperson for government removal.”¹³⁹ Boudinot was a member of the Cherokee elite in New Echota and a leader of the Treaty Party, a group of Cherokee who were responsible for the signing of the Treaty of New Echota. The Treaty Party opposed John Ross and other Cherokee progressives

¹³⁸ Andrew Denson, *Monuments to Absence: Cherokee Removal and the Contest over Southern Memory* (Chapel Hill: University of North Carolina Press, 2017), 40.

¹³⁹ Smithers, “A Cherokee Epic.” 16.

who resisted removal. Boudinot was an educated man and minister who was the first editor in chief of the Cherokee Phoenix, the first Native American newspaper published in the United States.¹⁴⁰ Boudinot and the Treaty Party chose to sign the Treaty of New Echota to save their nation from the potential violence, “political thralldom and moral degradation.”¹⁴¹ Hunter purposefully removed historical complexity in favor of a more streamlined and palatable story for white audiences. As a result very little reference to the Treaty Party appears in his script beyond having John Ross call them “trouble-makers.”¹⁴² In the scene, the Cherokees gathered on December 29th, 1835, have been reduced in this narrative to a small group of naive people led blindly into signing away their homeland by the charming words of a pastor turned government official. Schermerhorn calls on Elias Boudinot to speak for his people, to convince them signing is the best course of action. When Boudinot rises to speak it is done “with great humility.”¹⁴³ He is soft-spoken and claims to want what is best for his people, “churches, schools, and hospitals,” but is ultimately depicted as being defeatist when Drowning Bear, Will Thomas, and Tsali challenge his position; he can only reply with vague pleas for peace.¹⁴⁴ Elias Boudinot and The Treaty Party acted without the authorization of the

¹⁴⁰ “History of the Cherokee Phoenix,” Cherokee Phoenix, accessed April 13, 2020, <https://www.cherokeephoenix.org/Article/index/9955>.

¹⁴¹ Elias Boudinot, *Cherokee Editor: The Writings of Elias Boudinot*, ed. Theda Perdue (University of Georgia Press, 1996), 162.; Perdue, Theda, and Michael Green. *The Cherokee Nation and the Trail of Tears*. New York: Viking, 2007. http://libproxy.clemson.edu/login?url=http://search.ebscohost.com/login.aspx?direct=true&db=nlebk&AN=1127399&ebv=EK&ppid=Page-_-10.

¹⁴² Hunter, *Unto These Hills*, 52.

¹⁴³ Hunter, *Unto These Hills*, 46.

¹⁴⁴ Hunter, *Unto These Hills*, 46-48.

General Council and without the consent of the majority of the Cherokee people,¹⁴⁵ believing that they were “ignorant of their true situation” and were so “completely blinded as to not see the destruction that awaits them.”¹⁴⁶

Hunter’s mischaracterization of the signing of the Treaty of New Echota and the events of December 29th, 1835, is not only historically inaccurate, which should be unsurprising at this point in the production, but also strips the Cherokee of the agency and complexity found in such a decision. While the Treaty Party did not represent the majority of Cherokees, they were Cherokee leaders making a decision they believed was in the best interest of their people. By depicting them as naive and easily tricked by the villainy of a charismatic white man with a picnic and a prayer, Hunter deprives the audience of a rich display of Cherokee politics and internal conflict. He casts such two-dimensional versions of events and of the Cherokee involved that he denies the Cherokee their agency, humanity, and sovereignty. The Cherokee in Hunter’s production are not capable of philosophical disagreement and political discord.

Scene eight begins in 1836 in Washington where Junaluska, John Ross, and Sam Houston have been promised an audience with President Andrew Jackson and Secretary of War Lewis Cass by Senator Daniel Webster. Houston is provoked early on by Cass and begins arguing their case before Jackson has arrived for their meeting. Junaluska asks him to be patient, confident that Jackson will not only hear their case but must be moved

¹⁴⁵ John Ross, *Letter from John Ross, Principal Chief of the Cherokee Nation of Indians, in Answer to Inquiries from a Friend Regarding the Cherokee Affairs with the United States. Followed by a Copy of the Protest of the Cherokee Delegation, Laid before the Senate and House of Representatives at the City of Washington, on the 21st Day of June, Eighteen Hundred and Thirty-Six* (District of Columbia, 1836), <https://hdl.handle.net/2027/mdp.39015009319297>.

¹⁴⁶ Boudinot, *Cherokee Editor*, 162.

to action. Jackson and Cass remain unwilling to challenge the validity of the treaty, despite Houston's fervent reminders that "a bunch of ignorant dummies were tricked into signing it" by a "gang of crooks."¹⁴⁷ This scene highlights one of the key power imbalances used by the American government to erode Indigenous sovereignty. The reverence for written documents, their innate power granted by the white American government was weaponized against the Cherokee whose own governmental structure did not place such power on documents and signatures. Furthermore, the fatalism displayed in this scene by Jackson, the attitude which indicates there is nothing to do about fighting what has already been written, functions as yet another point of absolution. White audiences who may have felt a pang of guilt over the trickery and manipulation displayed by their government officials could be soothed by such fatalism. It is written, it was signed, whatever the circumstances may have been, the conditions were agreed upon. There can be no changing what was written.

Hunter's depiction of Houston in this scene hides the figure's more complicated relationship with the Cherokee. Sam Houston was a white man originally from Virginia who moved with his family to Tennessee after his father's death. As a teenager, Houston ran away from home and lived among the Tennessee Cherokee for three years. He learned the Cherokee language, skills, and customs and served alongside them and Andrew Jackson in the War of 1812. All of this is included or alluded to in Kermit Hunter's depiction, but the playwright neglects to reference his role in the removal of

¹⁴⁷ Hunter, *Unto These Hills*, 50-51.

many Cherokee from Tennessee to Arkansas in 1817.¹⁴⁸ Sam Houston spends the scene encouraging Jackson to reconsider his position while John Ross and Junaluska explain the dangerous position their people find themselves in. Junaluska reports that the Cherokee are not safe in their homes when the “very lowest classes of white men break in and beat our people with hickories, cowhides, and clubs” and calling on local law enforcement will accomplish nothing since the “magistrates and constables are the worst of all” for not taking action against the Cherokees’ attackers.¹⁴⁹ Ultimately, Jackson refuses to listen to Junaluska and John Ross and indicates that the Treaty being signed makes this conversation a moot point. Jackson says, in a rage, “the Cherokee have been offered a fair price--they voted to sell--and that’s that!”¹⁵⁰ When Junaluska makes a final appeal to the President to allow the Cherokees to become citizens, Jackson rebukes him to which Junaluska replies, “If Junaluska had known this was going to happen, he would never have saved Jackson’s life that day at Horseshoe Bend!”¹⁵¹ This final accusation is meant to remind audiences of the betrayal Jackson commits in refusing to assist the Cherokee in their desperation. Junaluska saved Andrew Jackson’s life in a display of brotherhood and unity which Junaluska now sees means nothing to Jackson. Hunter reinforces Junaluska’s position as a man of honor and duty juxtaposed with Jackson’s betrayal and abuse of power.

¹⁴⁸ “Sam Houston -- Britannica Academic,” accessed January 26, 2022, <https://academic-eb-com.libproxy.clemson.edu/levels/collegiate/article/Sam-Houston/41211>.

¹⁴⁹ Hunter, *Unto These Hills*, 53.

¹⁵⁰ Hunter, *Unto These Hills*, 55.

¹⁵¹ Hunter, *Unto These Hills*, 55.

In the scenes which discuss the Treaty of New Echota, Hunter simplifies the actions and characterizations of crucial figures in this period of Cherokee history to emphasize the villainy of Andrew Jackson and “low class” whites.¹⁵² This simplification reinforces to white audiences, generally of the middle and upper class, that there is no need for them to see themselves reflected in the villains on the stage. They can witness the evil deeds of Andrew Jackson abusing his power as president, the shameful trickery of white government officials, and hear about the heinous acts of the “low class” whites without being made to recognize their own role in the “othering” and the mistreatment of the Cherokee people. They are once again absolved from any guilt or discomfort that the telling of this history as it happened may leave them with.

Hunter eases the consciousness of the majority white audiences and then returns to a scene of domestic tranquility. Scene nine begins two years later with spring in the Great Smoky Mountains. Junaluska is away in Washington continuing to fight against the treaty, a threat which seems far off now as the lights come up on Nundayeli’s wedding day. Tsali’s only daughter is “all grown up and gettin’ married” in a “Church weddin, too!”¹⁵³ The missionary Ann Worcester has brought her wedding dress and family heirloom to dress Nundayeli and her husband, Reverend Sam Worcester, has given his suit to the groom, Suyeta. They have been dressed by the white missionaries and will be married in a Christian ceremony.

¹⁵² Smithers, “A Cherokee Epic,” 16.

¹⁵³ Hunters, *Unto These Hills*, 57.



Wilani and Mrs. Perkins admiring the wedding dress. Image courtesy of UNC Chapel Hill Wilson Library.¹⁵⁴

As people begin to gather they join in on a square dance, notably very different from the dances witnessed at the beginning of the production. Will Thomas calls on Drowning Bear, as the chief and father of the groom, to give a speech and then calls on Tsali to do the same. The scene is full of laughter, light, and the warmth of family and community. As the wedding is about to begin, Major Davis enters the stage and is greeted warmly by those gathered before him. Davis hands Drowning Bear his orders and is met with shock and anger. Will Thomas reads to those gathered that the removal process has begun, and the “North Carolina portion of the Cherokee nation” will have only two weeks to gather all of their belongings before being collected by the U.S. Army.¹⁵⁵ Thomas, Mrs. Perkins, Reverend Worcester, and an unnamed White Man all call out in anger and indignation,

¹⁵⁴ Hugh M. Morton. “*Unto These Hills*” Slide Show. Image, 35mm (24 x 36mm / 15/16 x 1 7/16 in.). Hugh Morton Photographs and Films (P081). University of North Carolina at Chapel Hill, Wilson Library, North Carolina Collection Photographic Archives. Accessed January 27, 2022. https://dc.lib.unc.edu/cdm/singleitem/collection/morton_highlights/id/3120/rec/4.

¹⁵⁵ Hunter, *Unto These Hills*, 63.

arguing that “the Cherokee are friends of ours!” that “You can’t take their homes and drive them away like this!” or even “why don’t you take us too?”¹⁵⁶

Notably absent from the conclusion of this scene are the voices of the Cherokee whose lives have been officially upturned by this news. They offer no cries of protest, no angry exclamation, or pleas for their homeland. Instead, a chorus of white voices rose in defense of their Cherokee friends, reinforcing Hunter’s consistent demonstration that not every white person in the East believed the Cherokee should be dispossessed of their homes. Here the audience has witnessed a scene of perfect assimilation. Tsali and his family were participating in a most Christian act, a wedding in accordance with the western tradition with no trace of Cherokee cultural practices. The modern production has altered this scene by including a blanket ceremony.¹⁵⁷ This ceremony includes a bride’s offering of corn and a groom’s offering of venison to one another, as symbols of the couple providing for one another. Then a blanket wrapped around the bride and groom separately is united by the wrapping of the blanket around the couple, symbolizing their newfound unity.¹⁵⁸ This blending of ceremonies, both Christian and Cherokee, alters the impact of the scene. In Hunter’s original script, the wedding scene is a picture of assimilation interrupted by the unnecessary intrusion of the American government through their military. Now, it is a representation of the traditions the Cherokee worked so hard to maintain, the peace they had carved out for themselves in spite of the chaos.

¹⁵⁶ Hunter, *Unto These Hills*, 63.

¹⁵⁷ Author’s field notes from performance on May 29th, 2021.

¹⁵⁸ Theda Perdue, *Cherokee Women: Gender and Culture Change, 1700-1835* (Lincoln: University of Nebraska Press, 1998).

The white protestation remains as the constant reminder of the unity and brotherhood promoted by the production.

The second act begins with a “majestic strain of music” meant to express “a sense of tragedy and impending doom, the struggle of humanity trapped by inexorable fate.”¹⁵⁹

The music and the narration at the start of act two, scene one are written to convey the inevitability of this moment in history. Hunter has described the fate of the Cherokee against the unstoppable tide of white giants as destiny, an unchangeable circumstance:

Out of the great womb of destiny, into the doorway of the world, come the souls of men, created equal in the sight of God. When their day is done, they return still equal, into the bosom of the Eternal. Somewhere between, on the plains of human life, caught in the monstrous mistakes that men devise to plague each other, it is the fate of some people to undergo pain and death, and to be twisted on the rack of greed and hatred.¹⁶⁰

This fatalistic approach to Removal simultaneously acknowledges the horrors perpetrated against the Cherokee while ignoring the role white Americans continue to play in the victimization of Indigenous peoples. European contact was inevitable, colonization was unavoidable, removal was predestined to occur. Hunter has framed each transitional period in Cherokee history once white men arrived in North America, from contact, to colonization to removal, with the narrator’s words of reassurance that though the events were violent, they were destined to occur.

¹⁵⁹ Hunter, *Unto These Hills*, 64.

¹⁶⁰ Hunter, *Unto These Hills*, 64.

The scene finds the Removal process in full swing and conflict arising when the military are refusing to pay certain Cherokee for their property, and the ones that are paid are immediately harassed by a constable and his associates. They confess to be there “collectin’ debts from these here Indians” for their “nearly three years” worth of overdue rent.¹⁶¹ Davis takes back the money the constable has collected and sends them away from the stockade area. He hands the money to a grateful Drowning Bear to be redistributed saying, “They don’t have to give one cent to those buzzards.”¹⁶² Davis turns from one money crisis to the next, ordering his men to “pay everyone” of the Cherokee before learning that at least half of the Cherokee meant to be collected in this valley were still hiding in the mountains.¹⁶³ One family, Tsali, Wilani, and their sons have been gathered during the course of this scene and are making their way onto the stage. Wilani struggles to keep her pack on her shoulder but the “drunken soldier” keeps pushing her to rise, reminiscent of Christ being made to bear the cross alone by the Roman soldiers. The Cherokee men around her protest and attempt to help, but the soldiers continue to berate her until

He raises his rifle and brings the butt down heavily at Wilani’s head. There is a cry, then she is still. Tsali, meanwhile, has been struggling to get loose from two soldiers behind. He tears himself free with a jerk, rushes to Wilani, and drops to his knees beside her. He examines her nervously for a moment, then he looks around, finds a rock, and suddenly leaps to his feet and beats the drunken soldier

¹⁶¹ Hunter, *Unto These Hills*, 66.

¹⁶² Hunter, *Unto These Hills*, 66.

¹⁶³ Hunter, *Unto These Hills*, 69.

over the head. The soldier collapses, and Tsali, with a cry, turns and runs out of sight up the valley at right, followed by three others.¹⁶⁴

Major Davis orders the soldiers involved back to the stockade before turning on Junaluska for not keeping his people in line. Junaluska argues that so long as Davis allows his soldiers to commit these acts of violence they will continue to retaliate and escape into the mountains. Davis offers a deal, collect Tsali and his sons to be put before a firing squad and he'll let the Cherokee still hiding in the mountains remain. Initially, Junaluska and Drowning Bear refuse, asking Davis if he enjoys seeing the Cherokee die. Davis turns away from them embarrassed, and Junaluska decides they have no choice, to protect what remains of their people in their mountain home, Tsali and his sons must be asked to die.

The violence of this scene, particularly against Wilani, holds true against descriptions of Removal. Journals and letters from missionaries connected to the tribe at the time describe the barbarity of the round-up and subsequent march. Many were “not allowed time to take anything with them but the clothes they had on,” and the Cherokees were “deprived of their liberty and stripped of their entire property at one blow.”¹⁶⁵ The Cherokee people have also provided oral histories which detail their families’ memories of the events of Removal. Women, the elderly, and the sick were particularly vulnerable to violence when they could not keep pace or became the focus of the soldier’s aggression. There are stories of women who were members of sober societies being

¹⁶⁴ Hunter, *Unto These Hills*, 72.

¹⁶⁵ Carolyn Ross Johnston, *Cherokee Women In Crisis : Trail of Tears, Civil War, and Allotment, 1838-1907* (Tuscaloosa: University of Alabama Press, 2010), 65.

forced to drink by the soldiers, sick people being beaten for falling behind, or the elderly being killed when their bodies protested against the conditions of their march.¹⁶⁶ The violence of Wilani's death holds true in comparison to the reality for women on the Trail of Tears, but Tsali's representation in this scene and the ones that follow are subjects of controversy.

In Act Two, Scene two, Tsali is found in the woods with his sons by Drowning Bear and Will Thomas. He and his sons perform a "prayer-like ritual, a primitive half-dance and half-ceremony" while the Narrator reads a poem

From the base of the east,
From the doorway of the rainbow
At the fore part of my house within the dawn,
The sun god sits with me.
Beautifully my fire to me is restored.
In beauty may I walk,
I and my sons all day through the returning glory.
On the trail marked with pollen may we walk,
In old age wandering on a trail of beauty--
Living again may we walk.
It is finished in beauty.¹⁶⁷

¹⁶⁶ Reverend Daniel S. Butrick. *The Journal of Rev. Daniel S. Butrick May 19, 1838-April 1, 1839*. Vol. Monograph One. The Trail of Tears Association: Oklahoma Chapter, 1998.; Perdue, Theda, and Michael Green. *The Cherokee Nation and the Trail of Tears*. New York: Viking, 2007.; Perdue, Theda. *Cherokee Women: Gender and Culture Change, 1700-1835*. Lincoln: University of Nebraska Press, 1998.

¹⁶⁷ Hunter, *Unto These Hills*, 77.

Hunter presents this poem here as a prayer over the actions of the ceremony Tsali and his son are carrying out on the stage. It reads as a funerary prayer, a promise to meet once again in glory. This prayer does not appear in any description of Cherokee myths, legends, prayers, or funeral ceremonies. It does, however, closely resemble a prayer found in the Navajo Night Chant. First published in 1902, the Night Chant includes a variety of prayers and chants for the nine day winter healing ceremony.¹⁶⁸ A prayer for the second day of the chant begins “from the base of the east” and goes on to discuss the rainbow doorway, “at the fore part of my house with the dawn,” and how the Talking God or House God sits with the speaker.¹⁶⁹ Hunter has augmented this prayer, sampling pieces of it and supplementing the discussion of the Navajo gods with the Sun God. Before Christianity, the Cherokee did worship a sun god, Une‘länûñ’hĩ. According to Mooney, the Cherokee traditions used the name Une‘länûñ’hĩ for the Sun God in the Sacred Formulas and for the Christian God in the Cherokee translations of the Bible.¹⁷⁰

This cultural homogenization, the blending together of traditions from multiple Indigenous groups due to stereotyping and ignorance, is in keeping with popular depictions of Hunter’s time. Beginning with *Lone Ranger* and *Hopalong Cassidy*, radio and television westerns of the 1930s, 40s, and 50s, depicted the noble but violent savage with little regard to differences in language, customs, or beliefs. Because of this practice,

¹⁶⁸ “Navajo Night Chant | Navajo Code Talkers,” accessed January 29, 2022, <https://navajocodetalkers.org/navajo-night-chant/>.

¹⁶⁹ George William Cronyn, *The Path on the Rainbow: An Anthology of Songs and Chants from the Indians of North America* (Boni and Liveright, 1918), 91.; Washington Matthews, *The Night Chant: A Navaho Ceremony* (AMS Press, 1902), <https://uofupress.lib.utah.edu/the-night-chant/>.

¹⁷⁰ James Mooney, *Myths of the Cherokee Extract from the Nineteenth Annual Report of the Bureau of American Ethnology* (Project Gutenberg), accessed October 27, 2021, <http://www.gutenberg.org/ebooks/45634>, 185.

and the willful ignorance of writers, directors, and producers, even projects which claimed to be “sympathetic to the Native American cause” stereotyped their portrayals.¹⁷¹ Hunter sampled lines for his poem from the Navajo Night Chant but altered it with Mooney’s description of the Cherokee Sun God. This depiction of an aspect of Cherokee culture, the “primitive half-dance” and the homogenized poem that accompanies it, is in keeping with the stereotyping habits of Hunter’s contemporary entertainment and literature. This moment neglects an opportunity to incorporate actual Cherokee funeral or mourning practices, to foster a discussion with the people this moment, and many others, misrepresents.

The scene carries on as Tsali tells his friends of the morning before Wilani’s death, when the soldiers came to his farm to collect his family.

Wilani did not cry. She waked the boys, cooked breakfast for the soldiers and then for us. She wanted to milk the cows, but the soldiers said to hurry. As we went down the path, the cows bawled. Wilani looked back and cried because there was no one to milk the cows.¹⁷²

This picture of domesticity would be familiar to audiences of the 1950s. Audiences would have resonated with this description of Wilani caring for her nuclear family by cooking and tending to the home. Tsali praises her home making and grace in the face of adversity. Drowning Bear promises Tsali that Wilani will have a “*Christian*” burial before relaying Major Davis’ deal. Initially, Tsali is irate and refuses to go along with the

¹⁷¹ Robert F. Berkhofer, *The White Man’s Indian: Images of the American Indian from Columbus to the Present*, 1st Vintage Books ed edition (Vintage, 1978).

¹⁷² Hunter, *Unto These Hills*, 78.

idea. Drowning Bear reminds him of the promise of peace Sequoyah made many years ago and begs him to think of his people, those in the mountains who would be left in peace and those in the stockade who may receive leniency by Tsali's sacrifice. Tsali, "overcome with anger and bitterness" says that his people have been "torn to pieces by the white man," before collapsing with his head in hands. The scene ends here, leaving the audience uncertain of Tsali's choice.

Scene three of Act II, begins with the light sound of "Amazing Grace" being sung by a choir off-stage. Now that the round-up is over, the morning rises on move-out day. In reality, the Cherokees' time spent in the stockade could have lasted anywhere from days to weeks in the hot summer sun.¹⁷³ Major Davis orders his men to rise before turning to Will Thomas to discuss the land he has purchased in the area. Thomas has given Drowning Bear and his son, Suyeta, pieces of the land and is leasing some to other Cherokees. Major Davis indicates, with a "*strangely pleased*" look on his face, that the Cherokee living on land Thomas has purchased for them cannot be touched, due to some "legal question."¹⁷⁴ The reference here is to article 12h of the Removal Treaty and Will Thomas's work in the area surrounding Quallatown. Before Removal, Thomas argued the Cherokee in North Carolina were already private citizens and in the years following Removal he would set about "assembling the large block of land that came to be known as the Qualla Boundary."¹⁷⁵ After Major Davis makes this proclamation, the Worcesters

¹⁷³ Theda Perdue and Michael Green, *The Cherokee Nation and the Trail of Tears* (New York: Viking, 2007).

¹⁷⁴ Hunter, *Unto These Hills*, 82.

¹⁷⁵ Andrew Denson, *Monuments to Absence: Cherokee Removal and the Contest over Southern Memory* (Chapel Hill: University of North Carolina Press, 2017), 42-43.

enter the scene to announce that they will be traveling west with the Cherokee. Junaluska is glad that Worcester will “take the Christian God along with the Cherokee.”¹⁷⁶

After all of this, Tsali has still not returned to the stockade and Drowning Bear becomes despondent, believing that his people who remain in the mountains will die there as outlaws. As “refugees” begin to filter onto the stage, Tsali and his sons finally appear. After confirming that the Cherokee in the mountains will go free, he submits himself and his sons to Major Davis. Drowning Bear begs for a fair trial, giving Davis pause for only a moment before issuing the command to his sergeant. As the soldiers shoulder their rifles, Ann Worcester runs forward, pulling Tsali’s youngest son away from the group. The stage directions indicate Davis should appear to protest at first before turning his back, allowing Ann to take the boy away, once again reinforcing the white savior subplot of the production. Davis turns to Tsali to ask for his final words, Tsali says he “wants his people to sing.”¹⁷⁷ Ann Worcester leads the Cherokee refugees in singing “Amazing Grace” as Tsali and his two sons are led by their firing squad offstage. The stage directions indicate that the singing should be replaced by sobs from the refugees, Sam Worcester falling to his knees in prayer, followed by Elias Boudinot who prays in Cherokee, the 121st Psalm. As Elias speaks, the narrator translates the prayer into English. Major Davis appears tortured by the scene before him, choosing to turn away and cover his eyes when the shots ring out. After the execution, Junaluska leads his people, slowly away from where Major Davis still hangs his head. Davis here

¹⁷⁶ Hunter, *Unto These Hills*, 83.

¹⁷⁷ Hunter, *Unto These Hills*, 86.

reminds one of Pontius Pilate, washing his hands of Christ's death as he sacrificed his life for the souls of the world. Tsali sacrifices himself and his two sons for the freedom of the Cherokee who remain in the North Carolina mountains, and even the modern production will find Tsali standing between the two boys, reminiscent of Calvary.

Time jumps once again and the scene comes up in Washington and the short-lived presidency of William Henry Harrison. Drowning Bear and Will Thomas are meeting with Secretary Webster and an already sickly President Harrison. When Harrison notices Drowning Bear "shifting uncomfortably from one foot to the other" he asks him, "what's the matter?"¹⁷⁸ Drowning Bear admits that his new shoes are hurting his feet, so the President invites to take them off before doing so himself. At first, Drowning Bear refuses but then follows the President's lead. On the one hand, this brief moment establishes that Harrison was supposedly more hospitable to the Cherokee than Andrew Jackson. On the other, it is an indication that no matter how much time has passed, there will always be some part of this Cherokee man that cannot fit into the modern world and its civilized demands. Historically, Harrison was no more kind to Indigenous peoples than Jackson. The future President Harrison served as the governor of the Indiana Territory under John Adams in the early 19th century and spent much of his tenure as governor acquiring as much Indian land as possible through questionable treaties. Under President Jefferson, he acquired much of the land that comprises modern Illinois. He is credited with the negotiation of the Treaty of Fort Wayne in 1809 which antagonized the

¹⁷⁸ Hunter, *Unto These Hills*, 88.

Shawnee and Tecumseh.¹⁷⁹ Returning to the scene, Webster once again has taken up the plight of the Cherokee, arguing that since those who were left in the mountains have “become part of the civilization of the whites. They are substantial, inoffensive, law-abiding citizens.”¹⁸⁰ Webster argues for the establishment of a reservation on a section of land in the Great Smokies and for citizenship. Harrison is not immediately amenable to the idea, to which Will Thomas asks that the Cherokee be provided some measure of protection greater than his land leasing plan. Harrison begins to suggest that they should all move west to which Drowning Bear reminds him of that inevitable tide of white men. Drowning Bear also says that he remembers his father telling him of his fighting alongside Washington at Yorktown, an interesting statement considering the Cherokee fought against the colonies in the Revolutionary War.¹⁸¹ For Drowning Bear, the Cherokee will never be safe until they, and “all Indians,” are American citizens. The “day of the Red Man is passing” and all the Cherokee ask of President Harrison is that they be allowed to stay in North Carolina unbothered. Harrison admits that he tried to convince Tecumseh of this inevitability years ago, but “the seeds of hate have been planted, and the weeds are still growing,” but that does not mean he will stop trying.¹⁸² He promises that so long as he is in office, the American government will leave the Cherokee alone

¹⁷⁹ Owens, Robert M. *Mr. Jefferson's Hammer: William Henry Harrison and the Origins of American Indian Policy*. 1st Edition. Norman: University of Oklahoma Press, 2007.

¹⁸⁰ Hunter, *Unto These Hills*, 88.

¹⁸¹ Robert J. Conley, *The Cherokee Nation: A History* (Albuquerque: University of New Mexico Press, 2005), 57-61.

¹⁸² Hunter, *Unto These Hills*, 92.

and he will encourage the governor of North Carolina to protect them from the “white trash.”

Unfortunately, scene five begins with Harrison’s death and the end to all his promises, but there were “shadows” gathering around the country as the Civil War started to press down. But the narrator and his audience find time flowing on in the Great Smokies, just as it had in many scenes previous. The light comes up on a dance once again, this time with white and Cherokee dancing together as a gray Drowning Bear watches on. The dancers are celebrating, preparing for the arrival of a baby. Nundayeli, Tsali’s eldest child, and Suyeta, Drowning Bear’s son, are expecting a baby. Major Davis, a new U.S. District Attorney, joins the happy scene to wait for the arrival and tells Will Thomas of his newly acquired deed. He and Thomas are hopeful that one day there will be a reservation in this area, all the better for the Cherokee who continue to make their way back from Oklahoma. As they wait, another refugee wanders onto the stage, Junaluska has come home. He tells his old friends that he has come here to see people once more before he dies and is shocked to find his people at peace in their mountain home. Thomas promises him land, a white man comes to offer him food and a place to rest, and Junaluska is overwhelmed to learn that Tsali has a grandson who will one day be an American citizen. As he is led away, the narrator’s voice rises once again. In the beginning was peace, freedom, and the land, the narrator says that “out of the darkness of tragedy, a man said, ‘I will lift up mine eyes unto the hills.’”

Once upon a time, out of the darkness of tragedy, a race of people looked beyond the years and devoted itself to the dream of its great leader, when he said “It is not

that a man's skin is black, or red, or white. Choose the way of peace. Take all men as your brothers."¹⁸³

This wish, for brotherhood and peace, the narrator says, "was the dream of the Cherokee" and "is America!"¹⁸⁴ This differentiation, the past versus the present tense, is indicative of the consistent denial of modernity this production has committed against the Cherokee. As O'Brien argued in *Firsting and Lasting*, this depiction is part of the process of settler colonialism. The creation of a prevailing national narrative relies on a distinction between past and present, a stark break from the past to establish a civilized modern culture.¹⁸⁵

O'Brien contends that this distinction was made by connecting native cultures and traditions to the past and a homogenized, predominantly white, America to the present. This denial was accomplished not only through the control exerted over local, state, and national historical narrative, but also through governmental policies such as blood quantum and the creation of Indian Residential Schools.¹⁸⁶ The denial of modernity is an act of violence against Indigenous groups as it necessitates the setting aside of cultural identity for access to the benefits of the modern world. The Cherokee were known as one of the "Five Civilized Tribes" and they were repeatedly called upon to alter their

¹⁸³ Hunter, *Unto These Hills*, 99.

¹⁸⁴ Hunter, 99.

¹⁸⁵ O'Brien, *Firsting and Lasting*, xxi.

¹⁸⁶ O'Brien, 146.

traditional structures, governmental and familial, for the preservation of their community. Many converted to Christianity, they created a written version of their language, and wrote a constitution. Men took the place of women on the farms, and their children were educated by white missionaries. Some Cherokee began purchasing their land in order to have deeds. All of this was done to fight for sovereignty, to preserve the Cherokee people, and to hold on to the land they called home. This “civilization” process gave the appearance of assimilation and became synonymous with the death of the Indian. From the outside looking in, from Kermit Hunter’s perspective, the Cherokee put down their indigeneity and picked up an American identity, and this was a good thing. “This, then, is America!”

In this narrative, and in most narratives which center native history, change was inevitable. For generations of authors, poets, and playwrights, indigeneity existed in the atemporal past, a time without history, and such a time could not exist forever. Change was bound to come, and it could not be resisted when it did. The myth of Indian extinction hinges on the racially charged assertion that Indigenous people can never be the subjects of change, only the victims.¹⁸⁷ If modernity comes at the expense of the past, and indigeneity can only exist in the past, then to be modern is to not be Indigenous. To be American, is to not be Cherokee. The denial of modernity plays an important role in

¹⁸⁷ O’Brien, *Firsting and Lasting*, 105-107.

this production because it acts in absolution. The modern world was coming, change was coming, it was inevitable, unstoppable, and necessary. White audiences in 1950, and today, need not feel guilt or shame over what was done to the Cherokee people because change must be wrought for the sake of modernity. Hunter's persistent absolution of white guilt is not a victimless crime. It continually reminds the audience that the existence of America hinged on the removal, on the "death," of indigeneity. The final message of *Unto These Hills*, "This, then, is America," meant that America was born of these struggles and these tragedies. How bad, how shameful, could it truly be if the result was this beautiful country of ours? In the modern production, this message has shifted. As the narrator's voice rings out, "This, then, is America," two projections appear on the stage. The American flag and the flag of the Eastern Band of the Cherokee Indian fly together in the Mountainside Theater. The meaning of this sentence has changed. The Cherokee nation exists despite these struggles, the Cherokee people persist despite these tragedies, and they use this narrative to tell of their resistance.

CHAPTER THREE

A CREATION MYTH FOR THE EASTERN BAND

The story of Tsali, or Charley as he was also known, has been told many times in many ways. The historical record conflicts, relying on varying reports from written correspondence and oral history interviews. The first piece of fiction connected to the Tsali narrative that identified as such was Kermit Hunter's *Unto These Hills*, which relied heavily on both Mooney's record of events and Hunter's dramatic interpretation, but the production has since inspired novels, children's books, and audio books. Historians questioned the veracity of Mooney and Hunter's Tsali early on and turned to the records of the U.S. Army. Paul Kutsche and John R. Finger contend that the military record and written correspondence does not support the oral history documented by Mooney. More contemporary historians have relied on Finger when relaying the curiosity of Tsali's death, some acknowledging the value of the oral history but admitting to its discrepancies, others address the story only insofar as it demonstrates Hunter's mistreatment of the historical fact of his narrative.

This essay does not seek to argue the validity of the Tsali (Charley) story; rather, to present the multitude of ways this narrative has been told—fictional, non-fictional, and tourist-centered—in order to examine an underlying reality. The question of validity, particularly as it relates to an individual who has assumed the position as a martyr, a myth, and a legend in public memory, can undermine the cultural significance of such a figure. Is the “truth” of the narrative as important as its significance to the Eastern Band?

In order to answer this question, it is necessary to examine the significance of Indigenous creation stories and how these traditions have been handled by western methodology. Additionally, it is crucial to examine the ways in which this story has been told to the public, through dramas, monuments, museums, children's books, and novels. As Trouillot wrote, "long before average citizens read the historians who set the standards of the day," their first exposure to history is "through celebrations, site and museum, movies, national holidays, and primary school books."¹⁸⁸ Given the popularity of the production and the version of the narrative Hunter chose to tell, *Unto These Hills* has directly impacted how the public interacts with the memory of the Cherokee martyr. *Unto These Hills* was influenced by the varying versions of the Tsali narrative and its contemporary attempts at public memory, and it in turn affects public memory to this day.

Contextualizing the Narrative

First signed into law by President Andrew Jackson in 1830, the Indian Removal Act authorized the president to exchange land west of the Mississippi for lands presently occupied by Indigenous groups residing within existing state boundaries. The act allowed the U.S. Government to enforce the relocation of Indigenous peoples through so-called Treaties signed between government officials and members of the tribes. For the Cherokee, this relocation was a highly debated subject which divided the people along the lines of those willing to sell their land and leave without provoking the American

¹⁸⁸ Michel-Rolph Trouillot, *Silencing the Past: Power and the Production of History*, Fulcrum.Org (Beacon Press, 1995), 20.

government to further action and those who believed they could resist these actions by establishing political sovereignty. Despite the efforts of the Cherokee leaders in the latter group, the Treaty of New Echota was signed by the Treaty Party in December of 1835. Principal Chief John Ross argued that the treaty held no validity since it was not signed by the proper representatives of the Cherokee people. Ross and other Cherokee leaders fought against the treaty for three years before the Removal Act came for the majority of the Cherokee people, in 1838. Jackson's successor, President Martin Van Buren ordered General Winfield Scott to begin the round-up of all Cherokees remaining in Alabama, Georgia, North Carolina, and Tennessee in May of 1838.¹⁸⁹

Historical Narrative: The Military's Version

When the round-up began, there were many Cherokee who resisted the removal process. Most resisted passively, fleeing into the Appalachian mountains, keeping to rough terrain that made it difficult for the army to track their flight. General Winfield Scott arrived in Cherokee country in May of 1838 to carry out the removal process. Seven thousand troops had been assigned to his charge and by November the majority of Cherokee had been gathered to begin their march west. General Scott then left what remained of the so-called fugitives to be gathered by Colonel William S. Foster.¹⁹⁰ Just before their departure west, in November of 1838, a Second Lieutenant in the United

¹⁸⁹ Anderson, William L., ed. *Cherokee Removal: Before and After*. Athens: University of Georgia Press, 1991; Conley, Robert J. *The Cherokee Nation: A History*. Albuquerque: University of New Mexico Press, 2005; Ehle, John. *Trail of Tears: The Rise and Fall of the Cherokee Nation*. New York: Anchor Books Doubleday, 1988; Perdue, Theda, and Michael Green. *The Cherokee Nation and the Trail of Tears*. New York: Viking, 2007.
<http://libproxy.clemson.edu/login?url=http://search.ebscohost.com/login.aspx?direct=true&db=nlebk&AN=1127399&ebv=EK&ppid=Page--10>.

¹⁹⁰ Althea Bass, "Tsali of the Cherokees," *The Sewanee Review* 50, no. 1 (1942): 5–14.

States Army, A.J. Smith wrote a letter from Fort Cass, Tennessee. Upon his arrival to Oconaluftee in search of some of the Cherokees in the area, he connected with a company of soldiers who had gathered a group of fifteen or twenty. In this letter, he indicates he sensed an “unwillingness among the Indians to travel” and “suspected all was not right.”¹⁹¹ He cautioned his men to remain on guard and discovered a knife on one of the Cherokee in his charge. The knife was surrendered easily, but later an ax was found. Upon discovery, Smith ordered the ax to be confiscated, but he was too late.

I had scarcely furnished the order, before I saw the axe buried in the forehead of one of my men. This being the signal for attack, the others fell immediately to work, and in less than one minute they killed two, wounded a third, and commenced to searching them, carrying off every article they could lay their hands on. I, fortunately, escaped unhurt, and owe my life to the spirit and activity of my horse.¹⁹²

According to another letter sent to General Winfield Scott by First Lieutenant C.H. Larned, Lieutenant Smith’s recipient, this group of Cherokee resistors had been encamped by a white man’s home for some time. Larned reports that a portion of the resistors in Smith’s custody had been apprehended by “Oconelufti (sic) Citizen Indians” and “Mr. Thomas” but they had escaped into the mountains before the events of Smith’s first letter. When Smith received word of another group near the mouth the Tuckasegee

¹⁹¹ Second Lieutenant A.J. Smith, “Second Lieutenant A.J. Smith to First Lieutenant C.H. Larned. Fort Cass, Tennessee, Novr. 5, 1838,” November 5, 1838, <http://www.jstor.org/stable/480334>. (Published by Paul Kutsche in his article, "The Tsali Legend" in 1963).

¹⁹² Second Lieutenant A.J. Smith, “Second Lieutenant A.J. Smith to First Lieutenant C.H. Larned.

River, he set off in search of them, with Mr. William Holland Thomas in tow. Without resistance, Lieutenant Smith and Mr. Thomas captured twelve Cherokee, seven women and children and five men, two of whom were reportedly armed. Smith and his men spent that night, around October 31st, in their camp before moving on the following morning. Just as Smith reported, he confiscated a knife from one Cherokee before discovering another in possession of an ax. Smith escaped from the violence and later issued orders for the men who attacked his soldiers to be captured once again. Every effort was made to “recover some of the Indians, but it was already dark and the mountains into which they had plunged barely practicable by daylight; the search therefore was soon discontinued.”¹⁹³

Upon hearing of these events, Major General Winfield Scott issued orders that the march begin with those who have already been gathered, in the interest of protecting those white families who have undoubtedly heard and were troubled by the hostility displayed by the Cherokee.¹⁹⁴ He then instructed Colonel Foster that the remaining soldiers were to collect “all, or as many as practicable, of the fugitives (other than the murderers) for emigration.”¹⁹⁵ Those resisters who had not already been captured by the

¹⁹³ First Lieutenant C.H. Larned, “First Lieutenant C.H. Larned to Major General Winfield Scott. Fort Cass, Ten. Nov. 5th, 1838,” November 5, 1838, <http://www.jstor.org/stable/480334>. (Published by Paul Kutsche in his article, "The Tsali Legend" in 1963).

¹⁹⁴ House of Representatives, Congress. "H. Doc. 25-109 - Capture of reputed Indian refugees. Letter from the Secretary of War, transmitting the information required by a resolution of the House of Representatives of the 14th instant, in relation to the pursuit, capture, &c., of certain Indian refugees and murderers, within the limits of one of the United States. January 22, 1839. Read, and laid on the table". Government. U.S. Government Printing Office, January 21, 1839. https://www.govinfo.gov/app/details/SERIALSET-00346_00_00-080-0109-0000, 2.

¹⁹⁵ Major General Winfield Scott, “Major General Winfield Scott to Colonel Wm. S. Foster. Head Quarters, Eastern Division, Athens, Tenn, Novr. 7, 1838,” November 7, 1838, <http://www.jstor.org/stable/480334>. (Published by Paul Kutsche in his article, "The Tsali Legend" in 1963).

U.S. Army were to henceforth be known as outlaws, with the noted exception of the “Oconeeluffy (sic) Indians” who were not to be considered fugitives, provided they “continue, as heretofore, peaceable and orderly.”¹⁹⁶

General Scott then commanded Colonel Foster to set about the task of apprehending the so-called murderers. In a letter submitted to the House of Representatives in January of 1839, Colonel Foster writes to Major General Scott from the mouth of the Little Tennessee River. In this letter, he indicates that Lieutenant Larned and a company of mounted soldiers set off from the “Oconeeluffy (sic) river, in pursuit of old Charley and his sons,” accompanied by Mr. Thomas and “two Indian guides.”¹⁹⁷ Colonel Foster admits that the task of locating “old man Charley and his sons John and Nan-tay-a-lee Jake” may yet be difficult thanks to the “smallness of their numbers, and the nature of their country.”¹⁹⁸ Foster reports, on November 19th, 1838, that two of the murderers, one of whom he reports to be Charley’s son, and three other prisoners associated with the murders. On November 24th, Foster’s letter to General Scott indicates that eleven of the twelve Cherokee “fugitives” had been captured. Finally, on December 3rd, 1838, Colonel Foster writes that American soldiers captured Charley and “Wa-chu-cha and Euchella” executed him.¹⁹⁹ In this military record, a heinous act was committed

¹⁹⁶“Major General Winfield Scott to Colonel Wm. S. Foster. Head Quarters, Eastern Division, Athens, Tenn, Novr. 7, 1838,” November 7, 1838.

¹⁹⁷ House of Representatives, Congress. "H. Doc. 25-109 - Capture of reputed Indian refugees. Letter from the Secretary of War, transmitting the information required by a resolution of the House of Representatives of the 14th instant, in relation to the pursuit, capture, &c., of certain Indian refugees and murderers, within the limits of one of the United States. January 22, 1839. Read, and laid on the table". Government. U.S. Government Printing Office, January 21, 1839. https://www.govinfo.gov/app/details/SERIALSET-00346_00_00-080-0109-0000, 2-3.

¹⁹⁸ "H. Doc. 25-109 - Capture of reputed Indian refugees", 3.

¹⁹⁹ "H. Doc. 25-109 - Capture of reputed Indian refugees", 4-5.

by the Cherokee resistors with reportedly no provocation, a manhunt mounted, and executions carried out in the name of justice. Though a record of this nature, entirely from the perspective of the perpetrators of the Trail of Tears, must necessarily be understood to be biased, it is the only written account of these events from the days in which they occurred. It would not be until ten years later, through the letters of a self-proclaimed explorer that this account would be challenged.

Historical Narrative: Lanman and Mooney

Charles Lanman, a writer and an artist, was a guest of chief U'tsälä in Qualla Town, North Carolina. Much of Lanman, and the military record, list U'tsälä as Euchella. During Lanman's stay among the Qualla Town Cherokee, he recorded many stories in his letters as told to him by Euchella. Lanman's version of the narrative begins with Euchella and some one hundred Cherokee who had evaded the capture of the U.S. Government officials for a year or more. Finally recognizing that Euchella and his band "could not be easily captured, and would never submit to leave his country, it was determined that an overture should be made."²⁰⁰ If Euchella and some of his men were to "assist the whites in their troublesome efforts to capture three Indians who has murdered a number of soldiers."²⁰¹ Mr. Thomas succeeded in meeting with Euchella on the mountaintop and informed him that "if he would join the whites, he might remain in Carolina, and be at peace," and after much convincing Euchella finally relented and allied himself with the

²⁰⁰ Charles Lanman, *Letters from the Allegheny Mountains* (New York: Geo. P. Putnam, 1849), <https://www.gutenberg.org/files/48408/48408-h/48408-h.htm>, 112.

²⁰¹ Lanman, *Letters from the Allegheny Mountains*, 112.

army.²⁰² It was by Thomas and Euchella's efforts that the supposed "attackers," Tsali and his sons, were apprehended. Acting on the orders of the American military, Euchella and his men tied the Cherokee "attackers" to trees before being shot. One of the attackers, a man named Charley, asked Euchella if he may speak before his execution.

And is it by your hands, Euchella, that I am to die? We have been brothers together; but Euchella has promised to be the white man's friend, and he must do his duty, and poor Charley is to suffer because he loved his country. O, Euchella! if the Cherokee people now beyond the Mississippi carried my heart in their bosoms, they never would have left their beautiful native land—their own mountain land. I am not afraid to die; O, no, I want to die, for my heart is very heavy, heavier than lead. But, Euchella, there is one favor that I would ask at your hands. You know that I had a little boy, who was lost among the mountains. I want you to find that boy, if he is not dead, and tell him that the last words of his father were that he must never go beyond the Father of Waters, but die in the land of his birth. It is sweet to die in one's own country, and to be buried by the margin of one's native stream.²⁰³

After this eloquent speech, which U'tsălă recalled word for word to retell ten years later, Charley and his sons were executed by U'tsălă's men without "manifesting the least anxiety or moving a muscle" when faced with the firing squad.²⁰⁴

²⁰² Lanman, *Letters from the Allegheny Mountains*, 113.

²⁰³ Lanman, *Letters From the Allegheny Mountains*, 113.

²⁰⁴ Lanman, *Letters from the Allegheny Mountains*, 114.

Another important source concerning the memory of Tsali is American anthropologist James Mooney who spent time among the Eastern Band in North Carolina in the late nineteenth century. He submitted reports on the Eastern Band to the Bureau of American Ethnology (BAE). His edition of the Tsali narrative comes from *Myths of the Cherokee*, first published in 1901 by the BAE. This publication was widely influential among anthropologists and the public alike. It is understandable then that when tourism promoters in Western North Carolina were looking to develop a historical pageant they would look to Mooney's popular accounts of Cherokee folklore, tradition, and culture which included creation stories and other accounts of people and events important to the Cherokee.²⁰⁵ Mooney opens his study of the Cherokee with a discussion of the Cherokee in North Carolina as a culture rich pocket of the world. Initially, he admits that the Cherokee, "with their civilized code of laws, their national press, their schools and seminaries, are so far advanced along the white man's road as to offer but little inducement for ethnologic study."²⁰⁶ But while this can be said of the Cherokee living in Indian Territory, the Cherokee "in the heart of the Carolinas. . .the old conservative Kitu'hwa element" have preserved "the ancient things."²⁰⁷ Deep in the mountains, the Cherokee living in Qualla Town were secluded enough from the modern world so as to maintain their traditions. Far from the "main-traveled road of modern progress. . .the

²⁰⁵ Andrew Denson, *Monuments to Absence: Cherokee Removal and the Contest over Southern Memory* (Chapel Hill: University of North Carolina Press, 2017), 51.

²⁰⁶ James Mooney, *Myths of the Cherokee Extract from the Nineteenth Annual Report of the Bureau of American Ethnology* (Project Gutenberg, 1902), <http://www.gutenberg.org/ebooks/45634>.

²⁰⁷ Mooney, *Myths of the Cherokee*, 11-12.

heart of the Indian is still his own.”²⁰⁸ It is with this promise of “authenticity” that Mooney approaches the information he collected from the Cherokee.

Mooney begins his version of the Tsali story with a discussion of the horrors of the round up and subsequent removal. First, he notes that this history comes from the lips of “actors in this tragedy,” reinforcing the authenticity and authority from which he writes. Mooney reports that when surrounded by the American soldiers, their guns and bayonets drawn, most Cherokee stood peacefully and walked away from their homeland. He tells of an old man who called his family around him to pray before leaving. There was a young mother who fed her chickens and tied her baby around her back before following her husband, a story which echoes Wilani’s grace and womanly duty in the face of capture in *Unto These Hills*. He then turns to a tale of less grace, about one old man named Tsali. Tsali, “Charley,” was seized “with his wife, his brother, his three sons and their families.”²⁰⁹ His wife, unnamed in this record, struggles to maintain pace and the soldiers “prodded her with bayonets to hasten her steps.” But Tsali grew angry with the soldiers’ mistreatment and, in Cherokee to the men in his party, encouraged them to attack. Tsali and the men “sprang upon the [soldier] nearest and endeavored to wrench his gun from him.” The attack was “so sudden and unexpected that one soldier was killed and the rest fled, while the Indians escaped to the mountains,” to join the hundreds of

²⁰⁸ Mooney, *Myths of the Cherokee*, 11-12.

²⁰⁹ Mooney, *Myths of the Cherokee*, 131.

others who had escaped previously.²¹⁰ General Scott, “finding it impracticable to secure these fugitives,” offered them a proposition through their trusted friend, W.H. Thomas.²¹¹

If they would surrender Charley and his party for punishment, the rest would be allowed to remain until their case could be adjusted by the government. On hearing the proposition, Charley voluntarily came in with his sons, offering himself as a sacrifice for his people. By command of General Scott, Charley, his brother, and the two elder sons were shot near the mouth of the Tuckasegee, a detachment of Cherokee prisoners being compelled to do the shooting in order to impress upon the Indians the fact of their utter helplessness. From those fugitives thus permitted to remain originated the present eastern band of Cherokee.²¹²

In the footnotes of this portion of Mooney’s record, he indicates that the Tsali story as told here was heard “in full detail from Colonel Thomas and Wasitûna (“Washington”), Charley’s youngest son, who alone was spared by General Scott in his youth.”²¹³ Mooney then goes on to note that Charles Lanman also recorded this story but with “some slight inaccuracies.”²¹⁴ Later in the report, Mooney offers a slightly different account of events. The story remains the same up to a certain point. The murder takes place, General Scott finds it untenable to track the murderers through unfamiliar lands, so he commissions William Thomas to search for a group of Cherokee willing to bring Tsali and his band to justice in exchange for allowing the fugitive Cherokee to remain in the North Carolina

²¹⁰ Mooney, *Myths of the Cherokee*, 131.

²¹¹ Mooney, *Myths of the Cherokee*, 131.

²¹² Mooney, *Myths of the Cherokee*, 131-132.

²¹³ Mooney, *Myths of the Cherokee*, 182.

²¹⁴ Mooney, *Myths of the Cherokee*, 182.

mountains. The narrative shifts here, to discuss U'tsälä's state of mind upon hearing the General's offer, a point which echoes Lanman. U'tsälä's heart was "bitter, for his wife and little son had starved to death on the mountain side" hiding from the same American soldiers now approaching him for help. After considering the thousands of Cherokee who had already begun their march west, U'tsälä looked at his little band of followers and decided he could not doom them to the same fate. Thomas then returned to General Scott and relayed U'tsälä's message. Mooney then praises Thomas for his "masterly influence" among the Cherokee despite his young age, since he was not only able to find Tsali and his party, but able to approach him for this discussion. This "remarkable incident" occurred as follows:

It was known that Charley and his party were in hiding in a cave of the Great Smokies, at the head of Deep creek, but it was not thought likely that he could be taken without bloodshed and a further delay which might prejudice the whole undertaking. Thomas determined to go to him and try to persuade him to come in and surrender. Declining Scott's offer of an escort, he went alone to the cave, and, getting between the Indians and their guns as they were sitting around the fire near the entrance, he walked up to Charley and announced his message. The old man listened in silence and then said simply, "I will come in. I don't want to be hunted down by my own people."²¹⁵

²¹⁵ Mooney, *Myths of the Cherokee*, 158.

Mooney goes on to say that all the murderers came in voluntarily and were executed, with the exception of the youngest among them, “spared on account of his youth.”²¹⁶ This boy, named Wasitû’na or Washington, was still living at the time of Mooney’s recording and was one of his primary sources for this narrative. Wasitû’na and Will Thomas were very advanced in age when they met James Mooney who documented this narrative nearly fifty years after the executions took place. Pre-eminent historians of Cherokee history, like John R. Finger, take issue with this, noting that the length of time passed was not the only concern with Mooney’s version. Finger contends that Thomas’s age and mental illness would affect his ability to accurately recall the details. Mooney’s account of Tsali’s death is not the only version based in oral history and tradition since the Tsali story had already become common among the Eastern Band.

Historical Narrative: Washington’s Story Handed Down

One oral history which has been cited by several studies into the Cherokee martyr was first delivered to Paul Kutsche in 1961 and reported in his article, “The Tsali Legend.” Mollie Sequoyah was born in 1882 and knew Wasitûna (hereafter as Washington) as a child. She was an important Cherokee craftsperson, cook, and healer during her lifetime spent on the Qualla Reservation among the Big Cove Community.²¹⁷ Sequoyah reports Washington’s recollections of the day the soldiers came for his family. Washington’s mother had been carrying a baby, about two months old, and she had to stop to care for the child. She stopped and sat on a log and a soldier grew irritated with

²¹⁶ Mooney, *Myths of the Cherokee*, 158.

²¹⁷ “Nancy Hamilton Collection on Mollie Sequoyah, 1967,” text, accessed February 19, 2022, <https://finding-aids.lib.unc.edu/20125/>.

her. Ignoring him, Washington's mother continued to take care of the baby and the soldier attacked her with a horse whip. He beat her with it and then set both mother and baby on the back of a horse. When the horse moved forward, Washington's mother lost her balance and her grip on the baby. The baby fell from the horse and busted its head on the ground below. The child died on impact. According to Washington, through Sequoyah's memory, the baby's death and the abuse against his wife angered Tsali. He and his adult sons attacked the soldiers with sticks, killing two while the third escaped. Tsali and his family fled, crossing through a river and back into the mountains. They traveled for some time, as far away from the attacks as possible. Eventually they came to the home of a white man who fed them and gave them refuge. He fed them and they rested for about two days before the family set off again, crossing into Tennessee. It was there that the Cherokee who had been sent by the U.S. Army found them. When Tsali and his sons were captured, they were bound and their heads were covered. Washington too was tied up, prepared for the execution. Some time passed and two men approached Washington, they untied him and allowed him and his mother to run. Sequoyah reports that whenever she heard Washington tell this story, when he spoke of his mother and father, tears would run down his face.²¹⁸

These narratives, whether they come from military record or personal recollection, contradict one another and align at varying points. They agree that an attack

²¹⁸ Mollie Sequoyah, Mollie Seqoyah of Big Cove, Qualla Reservation, North Carolina, to myself and wife, 1961., interview by Paul Kutsche, 1961, <http://www.jstor.org/stable/480334>. (Interview transcript recorded in Paul Kutsche's journal article, "The Tsali Legend: Culture Heroes and Historiography" published in 1963.)

on U.S. army soldiers took place and was followed by a manhunt and execution of those responsible. The number of men killed and the exact provocation which brought the Cherokee to attack differs slightly in each rendition. The military communication indicates that the Cherokee were armed and prepared for an attack, simply awaiting an opportunity. All other accounts demonstrate some form of brutality, usually afforded Tsali's wife, which motivates the Cherokee men to take action against their captors. Most Cherokee accounts neglect to discuss if Tsali and his family were armed, with the exception of Washington's tale through Sequoyah's oral history interview. Even in Washington's retelling, his father and brothers had not approached removal armed and ready to kill, instead they armed themselves with sticks. Elements of each edition can be seen in *Unto These Hills*.

Public Commemoration

The public commemoration dedicated to Tsali and his sons began with a monument. In 1937, children in Knoxville, Tennessee public schools began a penny collection to erect a monument in honor of the "Cherokee hero" they learned about in the local paper. The children started their "penny clubs," so called because the clubs lead the effort to collect one penny from every student in the school, to fund the erection of a monument to "the Cherokee Martyr."²¹⁹ Schools competed with one another to raise the most money the quickest and the campaign was documented in the *Knoxville News-*

²¹⁹ "School Children Start Penny Club to Build Monument in Smokies to Tsali, Cherokee Hero," *The Knoxville News-Sentinel*, February 26, 1937, Home edition, Newspapers.com, <https://www.newspapers.com/image/772723575/?terms=Cherokee%20%22Monument%22&match=1>; "Three More Schools Go 'Over the Top' In Drive of Tsali Penny Clubs to Honor Cherokee Martyr," *The Knoxville News-Sentinel*, March 12, 1937, Newspapers.com, <https://www.newspapers.com/image/772685383/?terms=Cherokee%20Monument&match=1>.

Sentinel. In response to the children's campaign, the adults started the Tsali Foundation with a pledge not only to ensure the monument's construction and to offer aid to the Cherokee.²²⁰ On the front page news for months at the time, children could be seen wrapped in blankets with paper feathers in their headbands.



Picture taken of children at “Sequoyah School, named for a Cherokee chief.” Image courtesy of *The Knoxville News-Sentinel*, March 4, 1937.²²¹ The children are pictured surrounded by images of Indigenous people, standing in front of a table covered in bow and arrow, pottery, and an “Indian bowl” into which their classmates would drop their donations. Their efforts were inspired by an article, published in the same paper by Herbert Ravenel Sass, about Tsali and his sacrifice. Sass was a writer based in Charleston, South Carolina who specialized in “travel accounts, nature writing, and historical fiction, usually with a Southern focus.”²²²

²²⁰ Andrew Denson, “Gatlinburg’s Cherokee Monument: Public Memory in the Shadow of a National Park,” *Appalachian Journal* 37, no. 1/2 (2009): 28.

²²¹ “Sequoyah School Almost Doubles Tsali Memorial Quota: Five More Schools Over the Top in Memorial Campaign,” *The Knoxville News-Sentinel*, March 4, 1937, Newspapers.com, <https://www.newspapers.com/image/772726542/?terms=Cherokee%20Monument&match=1>.

²²² Denson, “Gatlinburg’s Cherokee Monument.” 34-35.

In his article, Sass remarks at how the newly founded Great Smoky Mountains National Park neglects to include the story of the Cherokee hero. He acknowledges that very few know the story outside of the Oconaluftee River Valley, but it should be known throughout the region, even the country. Sass argues that the history of the Eastern Band and the history of the National Park, then in its infancy, were intrinsically linked. Sass's article appears heavily influenced by both Lanman and Mooney, echoing the details included in Mooney's version with the styling of Lanman. Sass tells of a proud nation of Cherokee who were helpless against the unstoppable, beguiling tide of white men. Hungry for gold, the white men tricked a small number of Cherokee into signing away their home, leaving thousands exposed to the horrors of removal. He tells of John Ross's fight against the Treaty, their friends in Washington, Daniel Webster, and Henry Clay. Noted Tennessean, Davy Crockett, is quoted as saying he could not in good conscience vote to ratify the Treaty, knowing what had been done to achieve the signatures. Other white men living among the Cherokee are cited as being in staunch opposition to the actions of the U.S. government. Sass depicts Tsali as a humble farmer, largely unaware of the trouble beginning around him. Eventually the round up comes, his wife is beaten, a soldier is killed, Tsali and his family flee, a deal is struck, the executions are carried out, and the Eastern Band is born. The narrative is not unlike all the others, with the exception of Sass's new dramatic embellishments which certainly inspired readers to feel sympathy for the peaceful farmer turned into a martyr. He concludes his article thinking fondly of Tsali looking down on his homeland, happy that they are now protected by the "shielding

arm” of the new national park.²²³ Sass’s article reads as both a moving and dramatic narrative, and as a call to action. His work encourages readers to tell Tsali’s story throughout Appalachia, to take the narrative beyond Oconaluftee and attach it to the Smoky Mountains themselves.

When elementary students and their teachers heard of this story through the newspaper and the burgeoning tourism industry in the region, they began their collection. At least one penny from every student in schools all around Knoxville combined for a total of \$170 by March when the campaign ended.²²⁴ Before construction began, three of Tsali’s great-grandchildren were invited to a special “Indian program” where they shared Cherokee legends and recounted their great-grandfather’s sacrifice. Richard, Irma, and Lucille Washington, all three grandchildren of Wasituna, were joined by Standing Deer who was dressed in the “ceremonial, heavily beaded doeskin robes which their ancestors wore before the coming of the white man.”²²⁵

²²³ Herbert Ravenel Sass, “Land of the Cherokee,” *The Knoxville News-Sentinel*, February 21, 1937, Home edition, sec. The Magazine, Newspapers.com.

²²⁴ Denson, “Gatlinburg’s Cherokee Monument,” 35

²²⁵ “Indian Youths Tell of Tsali: Knoxville Children Aiding in Memorial to Martyr Hear Legends of Cherokees,” *The Knoxville News-Sentinel*, May 15, 1937, Newspapers.com, 6.



Carl Standingdeer stands to the left, Irma and her sister Lucille are sitting down with their brother, Richard Washington, behind them. Image courtesy of The Knoxville News-Sentinel, May 15, 1937. ²²⁶

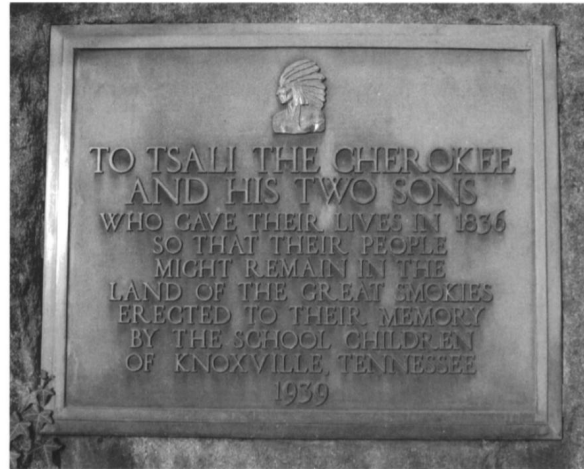
Between this storytelling event and the “Indian Day” celebration which followed, the Tsali Foundation realized the tourist attracting potential of the Cherokee, and particularly of their martyr. Through sponsoring events like this, the Tsali Foundation merged the profitability of tourism with the charitable position of elevating the economic condition of the Eastern Band.²²⁷ Cherokee culture was an easily consumable “other” and the fundraising efforts for this monument demonstrated the tourism potential of the region. At the end of his article, Sass chose Clingman’s Dome as a suitable location for the monument since a cave near the peak was reported to be “the old man’s hiding place.” Since construction had already begun on an overlook and parking lot in the area, it would be a logical location that would be easily accessible to the touring public.²²⁸ Instead, the

²²⁶ “Indian Youths Tell of Tsali: Knoxville Children Aiding in Memorial to Martyr Hear Legends of Cherokees,” 9.

²²⁷ From Andrew Denson “Gatlinburg’s Cherokee Monument:” City business leaders organized the Tsali Foundation in 1937. The foundation promised to “build the memorial, while staging additional Cherokee-related events in Gatlinburg. The organization pledged to build the memorial and to “offer aid to Cherokees in North Carolina (28). Denson, Andrew. “Gatlinburg’s Cherokee Monument: Public Memory in the Shadow of a National Park.” *Appalachian Journal* 37, no. 1/2 (2009): 28–43.

²²⁸ Denson, “Gatlinburg’s Cherokee Monument,” 36.

Tsali foundation refused to place the monument on the reservation and chose a spot in downtown Gatlinburg. City officials described the monument as “a gift to the Cherokees,



even an apology for the Trail of Tears” but refused for it to be built on the Cherokee reservation.²²⁹ The plaque reads:

Photo taken by Andrew Denson, included in his journal article, “Gatlinburg Cherokee Monument.”²³⁰

The bronze plaque affixed to a large stone is dedicated to “Tsali the Cherokee and his two sons,” and was “erected in their memory by the school children of Knoxville, Tennessee.” By dedicating this monument to their memory, to the moment of their sacrifice and tragedy, it attracts the sympathy of tourists without evoking introspection. It appeals to the white savior without accomplishing social change.

At the same time as the efforts of the school children and the Tsali Foundation in Knoxville, the people in Bryson City were casting a historical marker. It was widely reported in June of 1937 that several new historical markers were set to be cast by the

²²⁹ Denson, “Gatlinburg’s Cherokee Monument,” 36.

²³⁰ Denson, “Gatlinburg’s Cherokee Monument,” 36.

North Carolina Department of Conservation and Development. Newspaper articles appeared most excited at the prospect of the Cherokee hero receiving his own marker in Bryson City, North Carolina. The project was announced by Bruce Etheridge, the director of the State Department of Conservation and Development, and Tsali was one of seven individuals honored with a marker. The site for the marker and the information included on it was chosen under the supervision of the State Historical Commission and a “committee of historians from five colleges and universities in the State.”²³¹ In the press release, Etheridge is quoted as saying the historical marker would be dedicated to “Tsali, a Cherokee Indian brave who sacrificed his life so remnants of his tribe might remain in North Carolina.”²³² The marker erected in 1937 on Main Street in Bryson City, a little more than ten miles from the Cherokee Reservation, read: “Cherokee Brave, surrendered to Gen’l Scott to be shot near here, 1838, that remnant of tribe might remain in N.C.”²³³ Positioned outside the Swain County Heritage Museum, the marker is in proximity to the Tuckasegee River where historical record and oral tradition indicates Tsali and his group may have been executed. Today, however, the marker reads, “Tsali: Cherokee who resisted removal and escaped from U.S. Troops; executed nearby, 1838. Story inspired *Unto These Hills*.”²³⁴

²³¹ “State to Honor Tsali, Cherokee Indian Brave: Seven Historic Markers to Be Erected to Individuals and Places,” *The News and Observer*, June 10, 1937, Newspapers.com, 12.

²³² “Brave to Be Honored: Marker to Indian to Be Dedicated at Bryson City,” *Charlotte Observer*, June 10, 1937, Newspapers.com, 6; “State to Honor Cherokee Indian Hero by Marker,” *Asheville Citizen Times*, June 10, 1937, Newspapers.com, 12.

²³³ “Tsali - Q3 - North Carolina Historical Markers on Waymarking.Com,” accessed February 4, 2022, https://www.waymarking.com/waymarks/wm2478_Tsali_Q3.

²³⁴ “Marker: Q-3,” accessed February 28, 2022, <http://ncmarkers.com/Markers.aspx?MarkerId=Q-3>.



Historical Marker Q3, provided by North Carolina Highway Historical Marker Program.²³⁵

After the publication of Finger's work on the Eastern Band and with the Tsali Legend in the late 1970s, some public memory sites attempted to rewrite their previous interpretations to better align with the contemporary theory. In so doing, the State Historical Association chose to connect the hero's historical marker to one interpretation of the events and to the production, rather than to the living traditions of the Cherokee. This marker encapsulates one of the key disservices these public commemorations carry out against the Cherokee. In the historic marker, the monument and the outdoor drama, the tragedy of the Trail of Tears is represented by Tsali's execution and is the centerpiece of Cherokee public history, not the community which lives on to tell this story. Centering this tragic story in these public memory sites fixes tragedy as what might have been someone's first and only introduction to the Cherokee people. They are not commemorations to Cherokee perseverance, promises for assistance, or a celebration of culture. The monument, the marker, and *Unto These Hills* tell of the sadness of the heroic martyr without acknowledging the continued existence of the people for which he died. Accuracy is not the issue, the truth behind the story is but one component. At the core of

²³⁵ "Marker: Q-3," accessed March 4, 2022, http://ncmarkers.com/marker_photo.aspx?sf=a&id=Q-3.

the older sites of public memory is the denial of modernity, the tragedy of a conquered people with no acknowledgement of their persistence into the modern age. The reinterpretation is just as complicated as the older imagining. Sites that discuss the Tsali story strictly in terms of the written record, or by mentioning the production as a connection, neglect the ongoing oral tradition behind the story. Tsali is not just a historic figure to the Cherokee people. In the years between the executions and Charles Lanman's arrival to Qualla Town, the oral tradition had already begun. Tsali had taken on a legendary quality to the Eastern Band, a creation myth unique to the people who clung to their mountain home. Public memory sites which neglect the power of this narrative, and the importance of oral traditions among the Cherokee, center a westernized theory of history.

The Fictional Retelling Begins

The production's promoters were inspired most directly by James Mooney's interpretation given its popularity and influence, and the tragedy of the Tsali narrative had already proven to be a significant draw for white audiences, as will be discussed later in this chapter. In Hunter's narrative, Tsali and his family went peacefully and unarmed towards removal. It was not until a drunken soldier attacked and killed Wilani that Tsali and his sons attacked. The military account places the blame solely on the Cherokee, and the various Cherokee accounts place the blame on the military. Hunter blames the military for the provocation but absolves some of their guilt by fabricating the soldier's inebriated state, blaming a "bad apple," as it were, rather than cast blame on all the soldiers involved in the Removal process. This "bad apple" excuse is perhaps best

exemplified by Hunter's characterization of Major Scott in the production. The Major is allowed to assume the role of reluctant participant, adhering to duty despite his aversion to the violence displayed by the "lower class" whites and the poor judgment of his own soldiers.

The specific details of what occurred between Tsali's family and the U.S. army soldiers in the Blue Ridge Mountains may never be known, but the essence of truth remains. At least one soldier was killed, and Cherokee men were executed for the killing. Many factors differ, who the Cherokee attackers were, how they were found, whether they were hunted by American soldiers or fellow Cherokee, who carried out the executions, and exactly how many Cherokee were punished for the soldiers' deaths. One unifying aspect of all the Cherokee versions of these events is that a deal was struck in exchange for the lives of Tsali and his sons. The Cherokee resistors would be freed, the Eastern Band of the Cherokee would be born, out of Tsali's sacrifice.²³⁶ He may have been hunted by the military, his own people, or given the chance to turn himself in. He may have been forced to make this sacrifice, or he may have given his life voluntarily.

By the time Charles Lanman and James Mooney arrived on the Qualla Reservation, ten and fifty years later respectively, the myth had already been born. From

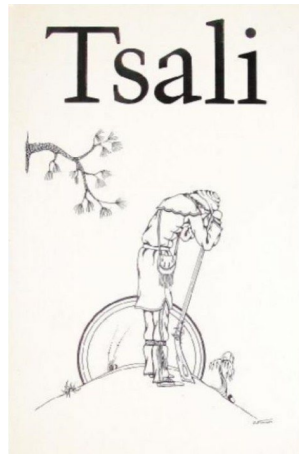
²³⁶ The history of the establishment of the Eastern Band of the Cherokee Indian is a complicated and long story. The onset of the Civil War pushed all thoughts of the Cherokee to the back of governmental minds until afterwards, when the North Carolina General Assembly officially recognized the Eastern Band of the Cherokees right to residency, in February of 1866. Finger argues that this was done, in part, to acknowledge the Cherokee who fought for the state during the war, i.e. fought for the Confederacy. The U.S. Congress would not recognize their right to residency until July of 1868. They would receive the right to vote in a piecemeal manner, veterans of WWI were enfranchised in 1919, but the rest of the Cherokee would not receive this right until 1946. In between, the Qualla Boundary was added to the U.S. Land Trust in 1924. For more on this complex history: Finger, John R. *Cherokee Americans: The Eastern Band of Cherokees in the Twentieth Century*. Lincoln: University of Nebraska Press, 1991. Finger, John R. *The Eastern Band of Cherokees, 1819-1900*. Knoxville: University of Tennessee Press, 1984.

the death of a Cherokee man, by then a martyr and a new creation myth, the Eastern Band of the Cherokee arose. Somehow the resisters in the mountains were saved, joined by those already granted clemency in Qualla Town, some Cherokee had been allowed to cling to their ancestral lands. The Cherokee looked not to the army's abandoning the hunt for an explanation, but instead to a sacrifice made by one of their own for their salvation. The subjective "truth" of these events was different for everyone who experienced them, everyone who learned from them, everyone who has heard them told since. James Mooney's interpretations, based on the retelling of events by those connected closely to the Cherokee in North Carolina, inspired Hunter's dramatic license, which has since influenced public commemorations and inspired other works of fiction based on the same character. From 1950 to 2006, when the Hunter script was first retired, more than four million people witnessed Kermit Hunter's *Unto These Hills* and whose memories of the Cherokee and their history were thus shaped by his interpretation.²³⁷ The production, however, was not the first public commemoration dedicated to the Cherokee martyr.

Novels and Short Stories Inspired by the Tsali Story

²³⁷ figures drawn from reports delivered to the Institute of Outdoor Drama

In addition to sites of public memory which connect the public to the story of Tsali, a selection of fictional depictions have been published through the years. Denton R. Bedford published *Tsali* in 1972.



Illustrated by Dan B. Timmons, the cover and included artwork highlight Tsali's "common man" appearance.²³⁸ Bedford was a Minsi (Munsee) Indian author who chose not to reexamine the research, documentation, and various theses that had been written about the "truth" of the Tsali story in his narrative.²³⁹ Instead, he looked to shed light on Tsali's "thoughts, his feelings, and his philosophy in the face of extreme adversity."²⁴⁰ In his foreword, Bedford laments the fact that Indigenous figures are not counted among the great American heroes and contends that Tsali should be among their number. Tsali was a reluctant hero, moved to action by the "deliberate and malicious abuse" afforded to his wife and people.²⁴¹

²³⁸ Denton R. Bedford, *Tsali*, 1st edition (Indian Historian Press, 1972).

²³⁹ Editor's foreword in the 1972 edition refers to Bedford as a "Minsee Indian," this is another way to spell Munsee or Minsi that refers to the same tribe surrounding the upper portion of the Delaware River.

²⁴⁰ Denton R. Bedford, *Tsali*, 1st edition (Indian Historian Press, 1972), Editor's Foreword written by Jeanette Henry.

²⁴¹ Bedford, *Tsali*, x.

Bedford acknowledges that there are several versions of this “now growing tradition,” and they are “confused” or “contradictory.” All of these versions “show the deft hand of the white man, still seeking to mold opinion in his favor.”²⁴² He contends that if a choice should be made of which rendition is to be believed, perhaps “it should be the one that is closest to the Indian tradition, and the most removed from the white man’s continuing effort to soften criticism.”²⁴³

With an Indigenous author, illustrator, and Indigenous-owned publishing company, this book presents the perspective, albeit fictitious, of the Indigenous actors in these events. Bedford neglects to discuss his inspiration or source materials for his novel, but his depiction of most aspects of Cherokee culture, traditions, and language portray his extensive familiarity with the subject. Bedford’s version of events, though dramatized and expanded, align most closely with Mooney’s retelling. What this novel accomplishes most of all is a powerfully moving depiction of the genocidal reality of the removal process. Tsali’s anger is slow to rise, he adheres closely to the wishes of the tribal elders and leaders for peace, and his actions in the face of such apparent helplessness and distress are no more than could have been wished for by many Cherokee in his same position.

Certain moments in the novel remind one of aspects of each narrative, with the noted exception of the military account, and overall the book reads as a highly detailed recollection from Tsali’s perspective. Tsali and Euchella reconnected after their separate

²⁴² Bedford, *Tsali*, x.

²⁴³ Bedford, *Tsali*, x.

escapes into the mountains and Euchella tells the family how Tsali's bravery has both inspired the Cherokee and caused the white men to be furious. Tsali remarks that he does not wish to be the cause of his people's further troubles, but his wife cannot restrain her pride that the Cherokee admire her husband's spirit. When Little Will (Will Thomas) finally approaches Tsali and his family, gathered around their fire, the author makes it a point of contention with Mooney's retelling:

The white trader later told a fanciful story to enhance his own reputation. He spoke of his dramatic boldness in approaching the hunted family, boasting that he surprised the family by quickly slipping between the seated men and their stacked rifles, as if he expected rational people to believe Tsali had not known of his approach. He did slip between the men and their rifles, but only because they let him, in order to demonstrate their good faith. . .But if Little Will wished to appear audacious before Sketisi [General Scott] and the Unegas [white men], the family did not object because he was the only Unega to have done anything good for the tribe, though it was in the past.²⁴⁴

In Mooney's second rendition, he praises Will Thomas for his perceived honor among the Cherokee that he would be allowed to join them at their fire at such a time when all white men would be fundamentally mistrusted. Bedford, however, does not wish to place such esteem on Thomas, instead highlighting how the Cherokee tolerated his presence only because Thomas had previously been kind to the Cherokee and to Tsali's family. This is very different from other fictional depictions of Thomas's relationship with the Cherokee.

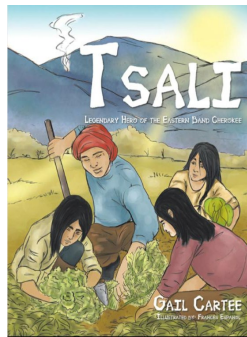
²⁴⁴ Bedford, *Tsali*, 214.

Hunter chose to portray him as a champion for the Cherokee people and a close personal friend of Tsali's family. Bedford's character holds great love for the Cherokee, especially Yonaguska and his adopted family, but understands Tsali's anger and fear. Bedford's Thomas demonstrates tremendous guilt for what white men have done and are doing, but his ultimate interest is in the protection of as many Cherokee as possible, particularly of his own family. Just as in Mooney, Lanman, and Mollie Sequoyah's retelling, Tsali agrees to turn himself in for the sake of the refugees still hiding in the mountains.

Bedford's description of Tsali's long, heartbreaking march down the mountain to his execution was emotionally stirring. The descent begins with Euchella and his men's arrival to escort the condemned down the mountain, Tsali's wife and sister-in-law lift up tearful goodbyes for their husbands, and his son tentatively steps into his role as the man of the family. Along their way, Tsali, his brother, and his two eldest sons are met by various Cherokee refugees. Some offer what little food they have, others their prayers, almost all are somber and broken. Tsali meets two friends and charges them with the care of what remains of his family. When the march reaches its end, they are not far from where the Cherokee reservation stands today. They are met by the Georgia militiamen who treated them so brutally during the roundup, Yonaguska, and Little Will. Euchella and his men are charged with carrying out the execution themselves, via firing squad, as one last disgrace against the helpless and broken Cherokee. Rather than the American soldiers killing Tsali and his family since this might encourage the Cherokee to make them into martyrs. Euchella begs his friend's forgiveness in the face of this last injustice, which Tsali grants him. Tsali charges Euchella to give his youngest son his manhood

name, “Wasituna,” to remind the white men of their forefather, Washington, and what they did to Wasituna’s father. In the Epilogue, Bedford provides his readers with a glimpse into the present day with Tsali’s descendants, now using the surname Washington. After the shots ring out, and the bodies are buried, Euchella sprinkles maize seeds on top of the graves, so that Tsali’s death may bring life to the corn in the same way it has breathed life into the Cherokee refugees. This is where Bedford’s novel ends, with the tragedy now over and the promise of the Cherokees’ rebirth from Tsali’s death, very similar to *Unto These Hills*.²⁴⁵

Bedford’s novel and the other fictional stories inspired by the production bear striking similarities to *Unto These Hills*, with one key difference. Rather than the Tsali story being told by a narrator who makes sweeping generalizations, these other fictional retellings center on Tsali or his sons. Gail Cartee wrote *Tsali: Legendary Hero of the Eastern Band Cherokee* in 2016. This children’s book shifts perspective from Tsali to his son, named John, and navigates this tragic story with the same reverence as Bedford.



Cover illustrated by Frances Espanol. Once again, highlighting the common-man, farmer appearance of

Tsali.²⁴⁶

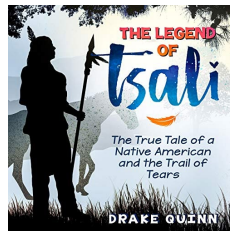
²⁴⁵ Bedford, *Tsali*, 235-252.

²⁴⁶ Gail Cartee, *Tsali* (XLIBRIS, 2016).

Just as in Mooney, Mollie Sequoyah, Hunter, and now Bedford, Tsali's wife is mistreated but not killed, Tsali and his sons kill a soldier before the family flees into the mountains. Interestingly, in Cartee's novel, Tsali's wife, Nanih, is left behind as they flee. Tsali and his sons remain close to where the soldiers are camped in the hopes they will find Nanih. As they wait for an opportunity to recover their wife and mother, their former neighbor, Euchella, visits them in their mountain cave to present General Scott's deal. Tsali and his sons decide to accept their deaths if it means their people might be freed. John, like Washington, is separated from his father and brothers, too young to face the guns. The execution is carried out and the book's perspective shifts to John's voice alone. In this version, all the Cherokee gathered to witness the execution bury Tsali and sprinkle corn seeds on top of the graves. John adds his own seeds and takes comfort in the knowledge that the seeds will grow in spite of the American soldiers, just as in *Unto These Hills* and Bedford. In the epilogue, Cartee tells readers about the continued existence of the Cherokee and the descendants of "John Charley " who still live in the Smoky Mountains.²⁴⁷ This book reads as a shorter retelling of Bedford's narrative, with some minor changes and some significant. Tsali's youngest son was never recorded as being named John Charley, and the Epilogue is a claim to some degree of historical accuracy in this representation. It is true that Tsali's descendants are among the Cherokee living in Western North Carolina, but their ancestor was not named John Charley.

²⁴⁷ Cartee, *Tsali*.

Unlike the other fictional retellings, which generally rely on Mooney, Lanman or *Unto These Hills*, one attempts to unify all versions of the Tsali narrative in a children's short story. *The Legend of Tsali: The True Tale of a Native American and the Trail of Tears* by Drake Quinn has a print, ebook, and audiobook version of this "Short Campfire Stories for Kids" book.



Cover of *The Legend of Tsali* by Drake Quinn.²⁴⁸

Beginning in 1838, the story reads a bit more as an educational historic fiction. It discusses the Indian Removal Act, the harmful language used against Indigenous people, the importance of the Cherokees' traditions and how they are tied to the land. Quinn ties his narrative to all of the versions of Tsali's death. He names the American soldier who arrived in accordance with the military record, but he frames his retelling of the soldier's death with phrases like "it's believed."²⁴⁹ Quinn acknowledges that the military record admits no blame for the events that transpired and follows Mooney's discussion of Will Thomas's involvement. Similar to Bedford, the dialogue shared between Thomas and Tsali discusses the mistrust of white men, and the potential trickery in the deal Thomas offers on behalf of General Scott. Instead of Euchella escorting Tsali to his death, it is

²⁴⁸ Drake Quinn, *The Legend of Tsali: The True Tale of a Native American and the Trail of Tears*, Short Campfire Stories for Kids, Book 2 (Hope Books, 2019).

²⁴⁹ Quinn, *The Legend of Tsali*.

Will Thomas, and Tsali asks that he be killed by his own people, instead of it being forced upon them by the American soldiers. The short book ends the same as all the retellings, Tsali and his family's tragic sacrifice results in the continued existence of the Cherokee in their traditional homelands.

The fictitious retellings rely on both the historical records and Cherokee myths to inform their narratives, and they all center on Tsali's point of view. The fiction freely uses Cherokee myth to explain the significance of Tsali's story to the Eastern Band, but the historiography neglects to incorporate such a fundamental part of Cherokee culture in their examinations of the Tsali narrative. The public memory sites discuss the tragic end to Tsali's life, the desperation and helplessness the Cherokee faced at this moment in history but fail to mention what this story became. It is true Tsali's tragedy has become a selling point and centerpiece of tourism on the Qualla Reservation, that white promoters exploited the Cherokee martyr for financial gain. This exploitation has undoubtedly altered the way the Cherokee have interacted with the story. Nevertheless, it remains an influential part of the public memory of the Cherokee and the Trail of Tears. Perhaps this is because of what Bread-Moose calls the "paradoxical reality" that the Cherokee find themselves in. Trapped between wanting to protect their traditions and tell the truth of their cultural heritage and appealing to the tourism economy upon which they and their Reservation have come to rely.²⁵⁰

²⁵⁰ Christina Taylor Beard-Moose, *Public Indians, Private Cherokees: Tourism and Tradition on Tribal Ground* (Tuscaloosa: University Alabama Press, 2009), http://libproxy.clemson.edu/login?url=http://search.ebscohost.com/login.aspx?direct=true&db=e00xna&AN=420002&ebv=EB&ppid=pp_1.

Even though the tribe now has control of the Cherokee Historical Association and tried to alter the production to be more in line with a complete view of their history in 2006, they have returned to Kermit Hunter's narrative which center's the Tsali story. The question of why may be purely economic, but newspaper articles from 2016 and 2017, when the return was announced, indicate that there was another reason for this return, nostalgia. Interviews with those involved in the 2017 production say that despite the show's inaccuracies and misrepresentations, there was a quality to it that many appreciated. Tribal elders who had been with the show for most of their adult lives were happy to see a familiar show given new life. They altered moments that misrepresented tribal history, culture, or structure, and refocused the show to center especially on Tsali and his family.²⁵¹ There was a distinct wish among the cast and the CHA to return to not only the familiar, but to return to a story that defined them in some way or another. A creation myth, however, it may have been formed, holds a truth and a power for the people it represents.

For the Eastern Band of the Cherokee, the Tsali story is like a creation myth. Not the creation of their world, that is credited to the Water-Beetle. Their mountain home was made by the Great Buzzard, and their fire was given to them by the Water Spider. The world was made by nature, but their survival was made by humans. The mother of corn is Selu and the father of game is Kanati. Selu and Kanati had two sons called the Wild Boys who sought to learn all they could from their mother and father. After watching Selu

²⁵¹ Scott McKie B.P., "Going Old School: 'Unto These Hills' Going Back to Original Script for 2017," *The Cherokee One Feather*, January 12, 2017, Cherokee One Feather Digital Archive, 1-3.

create the corn from rubbing her skin, the boys decided she must be a witch and should die lest her witchcraft cause them harm. Selu accepts that her sons will kill her and gives them instructions on how to use her blood to raise corn from the ground so that they might never go hungry.²⁵² The Cherokee survived for generations on Selu's sacrifice, and corn became one of the building blocks of their society. The story of Tsali's sacrifice has the same hallmarks. His blood was the buying price for the safety of some of the Cherokee refugees, and from his death the Eastern Band was able to grow. A creation myth holds the essence of truth and an inherent value for the people it represents, and it is a western, colonized methodology which calls this tradition into question for the sake of accuracy.

²⁵² Mooney, *Myths of the Cherokee Extract from the Nineteenth Annual Report of the Bureau of American Ethnology*, 3-9.

CONCLUSION

ANOTHER SITE OF RECLAMATION

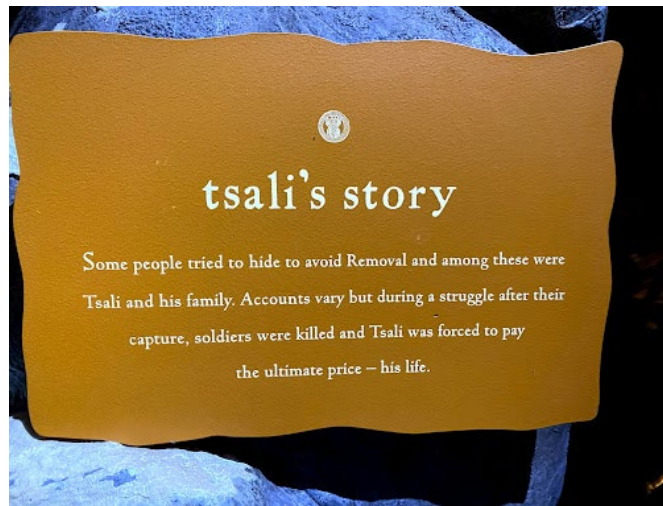
In May of 2021, while visiting the Cherokee Reservation, not only did I attend the *Unto These Hills* production, I also toured the Museum of the Cherokee Indian. First opened in 1948, the Museum has been open for seventy-four years. The exhibits track Cherokee existence beginning with their creation myths all the way to modern art exhibits highlighting the craftsmanship of local artisans.²⁵³ Among the sites of public memory on the Qualla Reservation, the museum, the mountainside theater, and the Oconaluftee Indian Village are the most prominent. Within the museum, in the section of the exhibits which discuss the events of the Trail of Tears, the horrors their people faced during removal, the museum devotes a cave to Tsali.



The cave-like exhibit resembles the story told by Washington, Tsali's youngest son, to Mollie Sequoyah. Tsali and his family hid from the army in a cave in the mountains after the attack.

Photo taken by author.²⁵⁴

²⁵³ "Cherokee Museum | Museum of the Cherokee Indian NC," The Museum of the Cherokee Indian, accessed February 26, 2020, <https://www.cherokeemuseum.org/>.



The exhibit panel outside the cave pictured above. Photo taken by author.²⁵⁵

The audio which overlays the scene in the cave, with changing lights and the crackling embers of a small imitation fire, describes the circumstances of Tsali's death.

There came a time when all our efforts were for nothing. We had tried everything to remain in our land. Now we would be taken away, forced to move to the west. Some of my people tried to stay in our homeland by hiding in the mountain forests, one was a man named Tsali. He and his family were finally captured by the last soldiers left in our mountains. When they tried to escape, some of the soldiers were killed. Once again, Tsali and his family hid in the forest, but they would find no peace because the leader of the white soldiers demanded that they

²⁵⁴ Caroline M. Ross, *Tsali Exhibit*, June 12, 2020, Image, 4032 × 3024. Taken at the Museum of the Cherokee Indian on the Qualla Reservation in Cherokee, North Carolina. Photo was taken with the express permission of museum staff.

²⁵⁵ Caroline M. Ross, *Tsali's Story*, June 12, 2020, Image, 4032 x 3024. Taken at the Museum of the Cherokee Indian on the Qualla Reservation in Cherokee, North Carolina. Photo was taken with the express permission of museum staff.

be captured. Because Tsali's family had killed soldiers, all other Cherokees were in danger, so, tragically, the Cherokees agreed to hunt for Tsali. One of those was a man named Euchella [U'tsälǎ], Tsali's neighbor and the man who found Tsali. Before he died, Tsali was heard to say, "I have a little one, can you please not take him? Tell him the last words of his father were that he must never go beyond Father of Waters but die in the land of his birth." Euchella killed Tsali. It was a hard choice, but it was a hard time for all of my people.²⁵⁶

This narrative reflects the one delivered in Charles Lanman's *Letters From the Allegheny Mountains*. The lines spoken by an older man acting as Tsali are very reminiscent of Lanman's description of Tsali's last words delivered to Euchella before his execution, instructing his youngest son, who will not meet his father's fate, to never leave the land of his birth.

The exhibit's storytelling style, with shadows taking the shape of men on the back wall of the cave, sounds of the forest, and the steady sound of the Cherokee flute playing attract and maintain audience attention. Importantly, these features invoke powerful responses to the narrative as it unfolds. The stories that move audiences tend to have better staying power. It is easier to remember a narrative when an emotional connection is made. For many, museums are one of their first interactions with historical narratives and a museum of this nature plays a key role in the meaning-making process for their community. Their choice of which historical documentation to base their interpretation

²⁵⁶ Words taken from a recording of an exhibit on Tsali's story as designed by the Museum of the Cherokee Indian on the Qualla Reservation in Cherokee, North Carolina. Taken with the express permission of museum staff by Caroline M. Ross. (Cherokee, N.C., June 12th, 2020).

on represents more than what the museum curators have chosen as the narrative for this exhibit. This decision reflects their community's story, the identity they present to the tourists visiting their public memory sites.

Though non-Cherokee entities like the WNCAC and Kermit Hunter chose the Tsali story as the centerpiece of their drama, the story had been recorded by James Mooney, who was influenced by Charles Lanman. Both authors claimed a close connection to the Cherokee who were personally involved with the events. Even though their recollections were recorded a decade or five decades later, the stories they recorded were already oral traditions among the Eastern Band. Like many oral traditions that have since been written down, the exact details may have changed over time, but the essence of the story remains. The museum instructs its guests, Cherokee and non-Cherokee, in a story that has been called, time and again, the birth of the Eastern Band of the Cherokee Indian.

As I sat in the mountainside theater on that May evening, the production's first opening night after a global pandemic closed their doors, I was struck by the deceptively subtle changes found in this new *Unto These Hills*. Hunter's carefully crafted color lines were gone, there were only Cherokee and non-Cherokee. The rhythmic, third-person speech of the Indian characters that set them apart as uneducated, beings of the past was removed. The actors are majority Cherokee and the Cherokee language is a prominent feature. The dances remain, even the controversial Eagle Dance which was so maligned by other historians analyzing Hunter's original script. When Tsali turned to his people and asked that they sing for him, they still sang *Amazing Grace*, but this time the

Cherokee characters sang the hymn in their language. As the production came to a close and the narrator's voice rang out across the darkened stage, he spoke of dreams and the future, with the American flag on one side of the stage and the flag of the Eastern Band of the Cherokee Indian on the other.

The history told in the museum and in *Unto These Hills* belongs to the Cherokee and the story of Tsali belongs to the Eastern Band. The installation of the tourism economy in the 1930s-40s was exploitative and undoubtedly altered the way Americans have come to understand and interact with Cherokee history and culture, and with the people themselves. It is true that the economic realities the Band was placed in were designed by individuals with little care for historical accuracy or for the preservation and protection of the Cherokee people. When the tribe took over the Cherokee Historical Association, when they gained control of the narrative which had defined them for over fifty years, they tried creating entirely new narratives around which to center their public facing identity. The success of these new narratives certainly dictated the CHA's desire to revisit and reconfigure the script, hoping to achieve a balance between their wishes and audience favor. They found this balance in reclamation. The CHA chose to return to a narrative which was once used to silence their voices. They have reclaimed Kermit Hunter's *Unto These Hills*, reclaimed the heroic figure of Tsali, and reclaimed the agency which was stripped from them in the creation of the original production. To say their decision was purely economic, purely trapped by the necessities of tourism, would be to deny the agency they have exerted in that choice. The question of authenticity and historical accuracy is defined by the people represented by the display of public memory,

and though the story may be littered with questions and curiosities, it is the Cherokee story to tell.

REFERENCES

“[Copy of New Echota] Treaty [between] the Cherokees [and the] United States, 1835.”

Accessed January 22, 2022. https://dlg.usg.edu/record/dlg_zlna_tcc221.

“History of WNC Communities – WNC Communities,” 2021.

<https://wnccommunities.org/index.php/history-of-wnc-communities/>.

“Marker: Q-3.” Accessed February 28, 2022.

<http://ncmarkers.com/Markers.aspx?MarkerId=Q-3>.

“Nancy Hamilton Collection on Mollie Sequoyah, 1967.” Text. Accessed February 19,

2022. <https://finding-aids.lib.unc.edu/20125/>.

“Navajo Night Chant | Navajo Code Talkers.” Accessed January 29, 2022.

<https://navajocodetalkers.org/navajo-night-chant/>.

“Sam Houston -- Britannica Academic.” Accessed January 26, 2022. [https://academic-eb-](https://academic-eb-com.libproxy.clemson.edu/levels/collegiate/article/Sam-Houston/41211)

[com.libproxy.clemson.edu/levels/collegiate/article/Sam-Houston/41211](https://academic-eb-com.libproxy.clemson.edu/levels/collegiate/article/Sam-Houston/41211).

“Tsali - Q3 - North Carolina Historical Markers on Waymarking.Com.” Accessed

February 4, 2022. https://www.waymarking.com/waymarks/wm2478_Tsali_Q3.

Asheville Citizen Times. "State to Honor Cherokee Indian Hero by Marker." June 10, 1937. Newspapers.com.

Bass, Althea. "Tsali of the Cherokees." *The Sewanee Review* 50, no. 1 (1942): 5–14.

Beard-Moose, Christina Taylor. *Public Indians, Private Cherokees: Tourism and Tradition on Tribal Ground*. Tuscaloosa: University Alabama Press, 2009.
http://libproxy.clemson.edu/login?url=http://search.ebscohost.com/login.aspx?direct=true&db=e000xna&AN=420002&ebv=EB&ppid=pp_1.

Bedford, Denton R. *Tsali*. 1st edition. Indian Historian Press, 1972.

Berkhofer, Robert F. *The White Man's Indian: Images of the American Indian from Columbus to the Present*. 1st Vintage Books ed edition. Vintage, 1978.

Bernice Harris. "Seeing 'The Lost Colony.'" *The News and Observer*. August 18, 1937. Newspapers.com.

Boudinot, Elias. *Cherokee Editor: The Writings of Elias Boudinot*. Edited by Theda Perdue. University of Georgia Press, 1996.

California Law Review. "Blood Quantum and the White Gatekeeping of Native American Identity," April 13, 2021. <https://www.californialawreview.org/blood-quantum-and-the-white-gatekeeping-of-native-american-identity/>.

Carolyn Ross Johnston. *Cherokee Women In Crisis : Trail of Tears, Civil War, and Allotment, 1838-1907*. Tuscaloosa: University of Alabama Press, 2010.
https://pascal-clemson.primo.exlibrisgroup.com/permalink/01PASCAL_CLEM/g45dlb/alma991014041757705612.

Cartee, Gail. Tsali. XLIBRIS, 2016.

Charles Lanman. *Letters from the Alleghany Mountains*. New York: Geo. P. Putnam, 1849. <https://www.gutenberg.org/files/48408/48408-h/48408-h.htm>.

Charlotte Observer. "Brave to Be Honored: Marker to Indian to Be Dedicated at Bryson City." June 10, 1937. Newspapers.com.

Cherokee Phoenix. "History of the Cherokee Phoenix." Accessed April 13, 2020. <https://www.cherokeephoenix.org/Article/index/9955>.

Christian H. Moe, Scott J. Parker, and George McCalmon. *Creating Historical Drama*. 1st Edition. SIU Press, 1965.

Conley, Robert J. *The Cherokee Nation: A History*. Albuquerque: University of New Mexico Press, 2005.

Cronyn, George William. *The Path on the Rainbow: An Anthology of Songs and Chants from the Indians of North America*. Boni and Liveright, 1918.

<https://books.google.com/books?id=uPV7y39DGiQC&pg=PA91&lpg=PA91&dq=From+the+base+of+the+east,+from+the+doorway+of+the+rainbow,+At+the+fore+part+of+my+house+within+the+dawn&source=bl&ots=7wvMQ6isMf&sig=ACfU3U1VWzsija0-pX5V3xAFYB0x8M4KSg&hl=en&sa=X&ved=2ahUKEwizgO7AkNj1AhVylWofHdGxCbUQ6AF6BAgSEAM#v=onepage&q=From%20the%20base%20of%20the%20east%2C%20from%20the%20doorway%20of%20the%20rainbow%2C%20At%20the%20fore%20part%20of%20my%20house%20within%20the%20dawn&f=false>.

Deloria, Philip Joseph. *Playing Indian*. Yale Historical Publications. New Haven: Yale University Press, 1998.

Denson, Andrew. "Gatlinburg's Cherokee Monument: Public Memory in the Shadow of a National Park." *Appalachian Journal* 37, no. 1/2 (2009): 28–43.

Denson, Andrew. *Monuments to Absence: Cherokee Removal and the Contest over Southern Memory*. Chapel Hill: University of North Carolina Press, 2017.

Dr. William P. Connor, Jr. *History of the Cherokee Historical Association 1946-1982*. 1982. Manuscript Collection #1250. East Carolina University.

Drake Quinn. *The Legend of Tsali: The True Tale of a Native American and the Trail of Tears*. Short Campfire Stories for Kids, Book 2. Hope Books, 2019.

Finger, John R. *Eastern Band Of Cherokees: 1819-1900*. Knoxville: University of Tennessee Press, 1984.

First Lieutenant C.H. Larned. "First Lieutenant C.H. Larned to Major General Winfield Scott. Fort Cass, Ten. Nov. 5th 1838," November 5, 1838.
<http://www.jstor.org/stable/480334>.

G.E. Dean. "Island Pageant Features Rare Musical Background: Majestic Accompaniments Considerably Enhance Drama of Lost Colony." *The News and Observer*. July 18, 1937. Newspapers.com.
<https://www.newspapers.com/image/651447206/?terms=The%20Lost%20Colony>

&match=1.

Glassberg, David. *American Historical Pageantry: The Uses of Tradition in the Early Twentieth Century*. Chapel Hill: University of North Carolina Press, 1990.

Green, Paul. *The Lost Colony: An Outdoor Play in Two Acts (with Music, Pantomime and Dance)*. Chapel Hill: The University of North Carolina press, 1937.

Gregory D. Smithers. "A Cherokee Epic: Kermit Hunter's *Unto These Hills* and the Mythologizing of Cherokee History." *Native South* 8 (2015): 1–30.
<https://doi.org/10.1353/nso.2015.0000>.

Herbert Ravenel Sass. "Land of the Cherokee." *The Knoxville News-Sentinel*. February 21, 1937, Home edition, sec. The Magazine. Newspapers.com.

Hunter, Kermit. "History or Drama?" *South Atlantic Bulletin* 19, no. 1 (1953): 3–4.
<https://doi.org/10.2307/3197940>.

John Denver. *John Denver - Take Me Home, Country Roads (Audio)*, 2013.
<https://www.youtube.com/watch?v=1vrEljMfXYo>.

Katrina M. Phillips. *Staging Indigeneity: Salvage Tourism and the Performance of Native*

American History. Chapel Hill, North Carolina: University of North Carolina Press, 2021.

Kermit Hunter. "Unto These Hills: A Drama of the Cherokee," 1949. Box#004; Folder #34; Miscellaneous Scripts. University of North Carolina at Chapel Hill, Wilson Library.

Major General Winfield Scott. "Major General Winfield Scott to Colonel Wm. S. Foster. Head Quarters, Eastern Division, Athens, Tenn, Novr. 7, 1838," November 7, 1838. <http://www.jstor.org/stable/480334>.

Matthew D. Thompson. "Staging 'the Drama': The Continuing Importance of Cultural Tourism in the Gaming Era." University of North Carolina at Chapel Hill, 2009.

McKie B.P., Scott. "Going Old School: 'Unto These Hills' Going Back to Original Script for 2017." The Cherokee One Feather. January 12, 2017. Cherokee One Feather Digital Archive.

Mollie Sequoyah. Mollie Seqoyah of Big Cove, Qualla Reservation, North Carolina, to myself and wife, 1961. Interview by Paul Kutsche, 1961. <http://www.jstor.org/stable/480334>.

Mooney, James. Historical Sketch of the Cherokee. A Smithsonian Institution Press Book. Chicago: Smithsonian Institution Press, 1975.

Mooney, James. Myths of the Cherokee Extract from the Nineteenth Annual Report of the Bureau of American Ethnology. Project Gutenberg, 1902.
<http://www.gutenberg.org/ebooks/45634>.

O'Brien, Jean M. Firsting and Lasting: Writing Indians Out of Existence in New England. Minneapolis: University of Minnesota Press, 2010.

Perdue, Theda, and Michael Green. The Cherokee Nation and the Trail of Tears. New York: Viking, 2007.

Perdue, Theda. Cherokee Women: Gender and Culture Change, 1700-1835. Lincoln: University of Nebraska Press, 1998.

Philip J. Deloria and Neal Salisbury, eds. A Companion to American Indian History. Vol. 4. 16 vols. Malden, MA: Blackwell Publishing Ltd., 2002.

Ross, John. Letter from John Ross, Principal Chief of the Cherokee Nation of Indians, in Answer to Inquiries from a Friend Regarding the Cherokee Affairs with the United States. Followed by a Copy of the Protest of the Cherokee Delegation,

Laid before the Senate and House of Representatives at the City of Washington, on the 21st Day of June, Eighteen Hundred and Thirty-Six. District of Columbia, 1836. <https://hdl.handle.net/2027/mdp.39015009319297>.

Second Lieutenant A.J. Smith. "Second Lieutenant A.J. Smith to First Lieutenant C.H. Larned. Fort Cass, Tennessee, Novr. 5, 1838," November 5, 1838. <http://www.jstor.org/stable/480334>.

The Knoxville News-Sentinel. "Indian Youths Tell of Tsali: Knoxville Children Aiding in Memorial to Martyr Hear Legends of Cherokees." May 15, 1937. Newspapers.com.

The Knoxville News-Sentinel. "School Children Start Penny Club to Build Monument in Smokies to Tsali, Cherokee Hero." February 26, 1937, Home edition. Newspapers.com. <https://www.newspapers.com/image/772723575/?terms=Cherokee%20%22Monument%22&match=1>.

The Knoxville News-Sentinel. "Sequoyah School Almost Doubles Tsali Memorial Quota: Five More Schools Over the Top in Memorial Campaign." March 4, 1937. Newspapers.com.
<https://www.newspapers.com/image/772726542/?terms=Cherokee%20Monument&match=1>.

The Knoxville News-Sentinel. "Three More Schools Go 'Over the Top' In Drive of Tsali Penny Clubs to Honor Cherokee Myrtyr." March 12, 1937. Newspapers.com.
<https://www.newspapers.com/image/772685383/?terms=Cherokee%20Monument&match=1>.

The Museum of the Cherokee Indian. "Cherokee Museum | Museum of the Cherokee Indian NC." Accessed February 26, 2020. <https://www.cherokeemuseum.org/>.

The News and Observer. "State to Honor Tsali, Cherokee Indian Brave: Seven Historic Markers to Be Erected to Individuals and Places." June 10, 1937. Newspapers.com.

Trouillot, Michel-Rolph. *Silencing the Past: Power and the Production of History*. Fulcrum.Org. Beacon Press, 1995.

Washington Matthews. *The Night Chant: A Navaho Ceremony*. AMS Press, 1902.
<https://uofupress.lib.utah.edu/the-night-chant/>.